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Letter dated 2 February 2010 from the Permanent Representative of Kazakhstan to the United Nations addressed to the Secretary-General

I have the honour to inform you that on 29 January 2010 in Astana, the President of the Republic of Kazakhstan, Mr. N. Nazarbayev, at the joint session of the Chambers of the Parliament of Kazakhstan, made the annual state-of-the-nation address, entitled "A New Decade, New Economic Growth and New Opportunities for Kazakhstan" (see annex).

The annual address is devoted to the implementation of the Strategy of Development of Kazakhstan until 2020.

In his address to the nation, President Nazarbayev shares his views on post-crisis development of our country and puts forward the tasks to ensure sustained economic growth by the forced industrialization, diversification, increasing competitiveness of the economy, improving business climate, stable functioning of the financial system of Kazakhstan and development of the infrastructure and to invest into the development of human capital alongside with raising living standards of the people of Kazakhstan.

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In the annual address, President Nazarbayev highlights priorities of our country as a Chair-in-Office of the Organization for Security and Cooperation in Europe for 2010 on the basis of the four "T's: trust, traditions, transparency and tolerance".

He also emphasizes the necessity to consolidate inter-ethnic consent within the nation, to strengthen national security and to develop further the system of international relations with the global community.

The text of the address is also available on the website of the Permanent Mission of Kazakhstan to the United Nations (www.kazakhstanun.org).

I request that the present letter and its annex be circulated as a document of the General Assembly.

(*Signed*) Byrganym **Aitimova**
Ambassador

Annex to the letter dated 2 February 2010 from the Permanent Representative of Kazakhstan to the United Nations addressed to the Secretary-General

[Original: English and Russian]

A New Decade, New Economic Growth and New Opportunities for Kazakhstan

Address of the President of the Republic of Kazakhstan, Nursultan Abishuly Nazarbayev, to the people of Kazakhstan

Dear people of Kazakhstan!

One of the difficult periods in the development of our country in the history of the twenty-first century is coming to an end. The storm of global crisis damaging the world economy still remains. Nevertheless, its force is already different from its original condition. Thanks to our complete readiness, its consequences have not had much impact on our country.

In the pre-crisis period, we achieved a high level of development along with China, India and other countries with rapidly developing economies because we knew the path we should use in order to achieve this high goal.

The development of our country has been successful thanks to proper planning and competent implementation of our policies.

Through joint constructive measures, we embarked on the right path of development. Kazakhstan, with its successes recognized in the world, has increased the capacity and dynamism of the economy.

The model of Kazakhstan's unity was fully recognized and highly appreciated at its true value by heads of state and world leaders.

Thus, Kazakhstan has managed to become a strong and successful state and thanks to its initiatives, has reached a high international standing.

Through its creative policies, Kazakhstan is widely known for its significant achievements. With regard to all these factors, our country was honoured to chair the Organization for Security and Cooperation in Europe (OSCE).

We have started this new decade with that important global mission. And I strongly believe that all our future achievements will have the same success and high results.

My key task in the forthcoming decade is to provide further economic development for country, open new opportunities. This address is devoted to this goal. Following the Kazakhstan 2030 strategy, we have successfully realized the first decade of that development programme. Nowadays, the task is moving towards the next decade of the programme.

1. Implementation of the 2010 Strategic Plan, the Critical Stage of State Development

In 1997, upon the adoption of the Kazakhstan 2030 Strategy, we drew up a long-term agenda, paramount goals and priorities of the country, which were further logically developed in the Strategic Plan to 2010.

We started to live in such a way as we have planned and achieved the following results.

As early as 2008, i.e. two years early, we doubled the volume of gross domestic product (GDP) in comparison with 2000 and effectively fulfilled the social commitments of the state;

Average monthly salaries increased fivefold, and the average pension rate increased threefold;

The share of citizens with a substandard income decreased fourfold, from 50 per cent to 12 per cent;

Basic health criteria of the population were improved. Life expectancy increased from 65 to 68 years. Maternal mortality decreased twofold, and birth rate increased one and a half times.

A total of 652 schools and 463 health-care facilities have been built during the 10 years.

Today we have world-class medical centres, the Maternal and Child Health Centre and the Institute of Neurosurgery.

This year, we will commission the Cardiac Surgery Centre. The medical care of Kazakhstan's citizens is being improved across the country.

Thanks to these efforts, we will save the lives of thousands of our citizens!

Recognizing our progress, the United Nations included Kazakhstan in the ranks of countries with a high human development index in its 2009 report. This is indisputable evidence of our increased welfare! In one decade, 350,000 families, approximately 1.2 people, received new housing. A total of 32,000 kilometres of roads were built and repaired, equal to one third of all roads in Kazakhstan.

Following the letter and spirit of the Development Strategy of Kazakhstan to 2010, we have fulfilled all the goals outlined for the first decade of the twenty-first century.

2. Period of Crisis — Time for Right Decisions

The world financial and economic crisis affected our economy's growth rate but failed to stop our development. The accumulated economic potential ensured our sustainability in the most severe battles with crisis over the last three years.

We protected the financial system of the country and saved major banks.

We didn't leave behind small and medium businesses.

We attained unheard-of growth in "Kazakhstan's share" in public purchases of national and transnational companies.

Unprecedented assistance was rendered to the agricultural sector.

The state undertook all expenditures related to completing the mortgaged housing construction.

Owing to the successful implementation of the "Road Map 2009" programme, 862 projects on the reconstruction of municipal housing have been implemented and 737 kilometres of electrical lines, 1,029 water supply networks, 284 kilometres of heating pipelines, roads, hundreds of schools and hospitals and cultural and sports centres have been repaired.

It was the first time we fulfilled such substantial work, touching every village. People are grateful to us; we did a good job.

All the work was done under my control, in a swift and open manner.

We avoided recession because we knew what had to be done and we did it fast.

The great Nehru once said: "Success mostly comes to those who act bravely". And we did act bravely.

In 2009, economic growth amounted to 1.1 per cent, and industry grew by 1.7 per cent. We entered a "breakthrough" group of countries with a positive expansion rate.

Gross foreign currency reserves and assets of the National Fund have already exceeded $50 billion, and have increased more than 25 times during the past 10 years.

It is worthwhile to say that even though last year we spent some portion of funds, today the volume of the Fund exceeds the amount of last year.

Thanks to the Fund, we not only took anti-crisis measures, but also returned considerable assets to the state, which we had had to sell in tough times. These include the Ekibastuz State District Power Station 1, the Bogatyr coal mine and our shares in Kashagan, Mangistaumunaygaz and all three oil refineries.

The unemployment rate amounted to 6.3 per cent which is below the rate noted in the pre-crisis period.

More than 400,000 jobs were created throughout the country owing to the effectively implemented employment strategy.

We have withstood the hardships. We will now begin implementing the development strategy to 2020.

3. Strategic Plan 2020: Kazakhstan's Way to Leadership

We are to:

1. Prepare the economy for post-crisis development;

2. Achieve sustainable economic development due to expedited industrialization and infrastructure development;

3. Invest actively in the future in order to increase the competitiveness of human capital;

4. Provide Kazakhstan's citizens with quality social, housing and utility services;

5. Strengthen inter-ethnic harmony and national security, and further develop international relations.

3.1 Diversification of the Economy, the Way to Success

Sustainable and balanced development during the next decade will be provided due to accelerated diversification and increasing competitiveness of the national economy.

The critical task is to achieve comprehensive growth in productivity.

In Kazakhstan, based on the economic situation as a whole, one worker manufactures products worth $17,000 annually. In developed countries, this index exceeds $90,000.

The conclusion is very simple: we should improve this situation, i.e. increase efficiency and introduce innovations.

Assessment and financial assistance at all levels of management and control according to these operational criteria will be the paramount task of our Government.

Only innovations will give a strong impetus to boosting productivity.

I have charged the Government to draw up a state programme for expedited industrial and innovation development and a detailed map of the country's industrialization.

These two documents are a detailed action plan of what, where and how we will build in the next five years.

Today we are talking about the realization of 162 projects with an investment volume of 6.5 trillion tenge, which is more than 40 per cent of the country's GDP and which will help us directly create more than 200,000 jobs in the next three years.

In the forthcoming five years, a major gas chemical complex, mineral fertilizer plants and a range of major electric power plants, such as the Balkhash thermal power plant, the Moynak hydroelectric power plant, a new block of the Ekibastuz power station and others will be put in operation.

By 2014 we will modernize all three oil refineries and will have the capability to fully satisfy our domestic needs in all oil products.

Each industrial project in each region should be taken under special control not only by local authorities, but also by the whole community. Only in such a way will we be able to join the 50 most competitive countries of the world.

The implementation of the 2020 programme should become the cornerstone of the work for the Nur Otan party. Nobody should stand aside, because only in such a manner will we ensure new economic growth in Kazakhstan.

A unified management centre (headquarters) headed by the Prime Minister is to be created on the implementation of the programme, as well as centres in regions headed by the akims (governors). We should work in the manner in which we acted in 2009 under the "Road Map" programme.

The ministers and the akims are responsible for solving all current problems. They will also mobilize all resources.

Industrial development is our opportunity in the new decade, bringing new possibilities for the development of the state.

Kazakhstan will be a successful industrial power; I am absolutely certain of that.

Another important segment of diversification is the development of the agricultural sector. Its development should proceed in three main directions.

First, the main accent should be placed on productivity growth.

In the agricultural sector, productivity is the lowest, economy-wise, and annually comprises approximately $3,000 per person engaged in the manufacturing process, while this index reaches $50,000-$70,000 in developed countries.

Here lie the potential for growth in rural areas. Therefore, our task is to increase productivity in the agricultural sector by 2014 by at least twofold.

Only through agrarian and industrial diversification will we be able to solve this difficult task, i.e. through the rapid growth of processing of agricultural raw materials and the introduction of new equipment, new technologies and approaches in agriculture. It is necessary to use world experience and introduce it into our agriculture faster.

The second is on ensuring food security of the country.

Domestic food products should comprise more than 80 per cent of the internal market by 2014. We have every possibility for this.

The third is realizing the export potential, primarily in the markets of the countries members of the Customs Union, in Central Asia, the Caucasus and the Middle East.

We have already been building the Zhetygen — Korgas and the Uzen — border with Turkmenistan railroad lines, which will basically open access for our products to the markets of China and countries of the Arabian Gulf. The Western China-Western Europe motorway, which we will start to build, is an important highway for goods.

I would like to pay special attention to the sectors of the "economy of the future". An efficient and effectively functioning national innovation system should become its foundation.

We have already had some developments in this direction. We will go further. Three new scientific centres will be established as part of the New University in Astana.

The Life Sciences Centre will conduct research jointly with the leading world scientific centres in the sphere of organ transplantation, artificial hearts and lungs, stem cells and the medicine of longevity.

The Energy Research Centre will be dealing with issues of renewable energy sources, physics and high-energy technologies.

The Interdisciplinary Instrumental Centre will be an engineering centre, and will include laboratory facilities and a design bureau.

All three centres will be established this year.

I task the Government with developing an intersectoral joint industry plan for scientific and technological development of our country to 2020, based on the priorities for our industry this year.

It is also necessary to expedite the drafting of a new law on science. This is important for further development.

3.2 Proper Trade Policies and Support of the Economy's Competitiveness

Kazakhstan is an active participant in integration processes throughout the Commonwealth of Independent States (CIS). The establishment of the Customs Union with Russia and Belarus that came into force the first of January 2010 is a breakthrough for all of Kazakhstan's integration initiatives.

The creation of a Single Economic Space since 1 January 2012 becomes the next stage of integration of the three countries. It will mean a higher level of integration, where free movement of capital and manpower will be provided.

In support of regional economic integration in the CIS, the Government should expedite the processes of accession to the World Trade Organization on conditions meeting the priorities of economic development of Kazakhstan.

I believe that already now it is important for our entrepreneurs to evaluate the emergence of new possibilities, seriously engage in the elaboration of effective strategies on entering new markets and increase competitive advantages.

Certainly, as they say, "where there is no competition, one sleeps better but lives worse". Citizens of Kazakhstan do intend to live better, and will not allow anything to stand in the way of their plans.

3.3 Attracting Investment

It is obvious that state resources would not be enough for the realization of our diversification plans. Foreign direct investment should become the basic source.

The issues of attracting investment to Kazakhstan were of high priority during my international visits. Many states see reasons to invest in our economy.

Today, the issues of attracting investments from China, South Korea and the United Arab Emirates, as well as French, Italian and Russian companies, amounting to $20 billion have been resolved.

These investments will be channelled to the non-raw-materials sector and will provide for the commissioning of dozens of facilities under the industrial programme of infrastructure and joint ventures.

The issues of attracting approximately $3 billion in investment for the "Western China-Western Europe" motorway and $2 billion for a gas pipeline from the west to the south of the country have also been resolved.

All of this is notwithstanding investments in the materials sector, which will comprise more than $10 billion. As you see, great work on supporting this programme with financial and material resources has been done.

We must create the most attractive environment in Kazakhstan for investors willing to work in our region.

Taking into account the priorities of industrial development, new approaches to the functioning of Special Economic Zones and industrial parks are required. I charge the Government with developing a new bill on Special Economic Zones.

The mechanism of the public-private partnership carried substantial potential for attracting private investments.

We have launched this mechanism in Kazakhstan, but it requires improvements in accordance with the best international practices.

I charge the Government with making appropriate changes to the legislation on concessions in the first half of the year. In order to introduce the principle of project financing, we need to stipulate the legislative possibility of establishing special project organizations with special legal status.

3.4 Entrepreneurship, the Driving Force of New Economy

Entrepreneurship will be the core of diversification.

We would like to see a powerful entrepreneurial class emerge, ready to undertake risks, master new markets and introduce innovations.

It is entrepreneurs that constitute the driving force of economic modernization.

In this regard, I charge the Government with ensuring the introduction of a single budget programme on entrepreneurship development in the regions starting in 2010.

I propose to call it the "2020 Business Road Map".

The purpose of this programme is to create permanent jobs due to development of a new layer of enterprises in the regions, especially small and medium businesses.

The funds under the programme should be used in the following directions:

- Financing interest on loans;
- Partial credit guarantees for small and medium businesses;
- Service support for businesses;
- Retraining personnel and professional development, youth practical training and social jobs.

The "2020 Business Road Map" opens up new opportunities both for entrepreneurship and for banks and investors for financing non-material projects.

The Government, together with the akims, will develop within the three-year budget overall funding limits, broken down year to year, based on calculations of the economic potential of each region. These funds are to be transferred to the regions.

The akims will be fully responsible for small and medium business projects financed by the programme.

I charge the Government with transferring the responsibility for social entrepreneurship companies to local executive bodies, which, in fact, should become regional business development corporations.

3.5 Domestic Goods, the Measure of Successful Implementation of Plan 2020

Support for our exporters from non-extracting industries should become the key direction of industrialization.

A wide range of domestic brands will represent Kazakhstan's industry in export markets.

Therefore, the task of the Government is to create an integral export support system which provides financing for the acquisitions of capital assets, service support of exports, grants for exporters and export trade financing.

3.6 Development of the Regions, Development of the Country

We will not be able to achieve accelerated diversification without the reform of regional development. Therefore, we need to start establishing centres of economic growth. In the west of Kazakhstan, it is necessary to develop the oil and gas sector, the chemical industry, equipment production and transport capacities.

In the centre, north, south and east, the priorities will include a mining and smelting complex, atomic and chemical industry and agriculture.

We need to develop sectors based on domestic demand along with traditional industries, as well as in the cities of Almaty and Astana, which possess powerful human resources.

It is reasonable to develop non-primary sectors with high export potential as well as agricultural sectors in both the northern and southern regions of the country.

The sectors of the economy of the future should be developed in Almaty and Astana.

Special importance will be attached to further development of our capital, Astana, the city with the competitive economy, attractive for citizens of our country and tourists.

A new regional policy is the most important part of the Strategic Plan 2020.

I charge the Government, together with the akims of regions, as well as of Astana and Almaty, with thoroughly working through the issues of investment policy in the regions.

3.7 Basic Conditions of the Implementation of the Strategic Plan 2020

To prepare the economy for the global revival and for increasing its resistance to outside challenges, we have to solve a three-pronged task:

- First, significantly improve business climate;
- Second, ensure stable functioning of the financial system;
- Third, continue building a reliable legal environment.

I charge the Government with reducing operational business expenses related to registration and business conduct by 30 per cent by 2011 and another 30 per cent by 2015.

By the end of the decade, the share of small and medium businesses in the GDP should increase to 40 per cent.

By 2020, Kazakhstan will enter the top 50 countries with the most favourable business climate.

It is important to ensure stability and steady work of the financial system.

It is necessary to make the domestic stock market work, which by 2020 will be the regional centre of Islamic banking in the CIS and Central Asia and will enter the list of the top 10 financial centres in Asia.

Regulation of the domestic financial system will adequately address the challenges and threats of the post-crisis world.

Financial regulators will ensure the reduction of the share of external liabilities of the banking sector in the cumulative amount of its liabilities.

The overwhelming bulk of foreign borrowing should be aimed at establishing efficient and competitive industries.

It is necessary to cut off banks from explicitly or implicitly affiliated structures.

We need to monitor banks strictly to make sure that they deal with banking exclusively and that their activity is extremely transparent.

We helped the banks to survive during the crisis, and now the banks have to help the economy actively in its post-crisis recovery and development.

During the crisis, the National Fund acted as a sort of "airbag" for us. Now the Fund's goal is to become a guarantor of stability and prosperity.

The Government needs to engage seriously in building the potential of budget revenues earned from sources other than export of raw materials.

By the end of this decade, the non-oil budget deficit should not exceed 3 per cent of GDP. In the future, it needs to be reduced to zero.

Starting this year, guaranteed transfer to the national budget will be fixed at the absolute amount of $8 billion.

This transfer should be channelled, first of all, to the implementation of industrialization.

No loans from the National Fund nor other additional transfers to the budget will be made.

Given these approaches, the assets of the National Fund will increase to $90 billion by 2020, which will amount to at least 30 per cent of GDP.

I charge the Government with submitting a new concept of formation and use of the National Fund for my approval in the first quarter of this year.

Overall, by 2020 we must achieve the following main results of accelerated diversification of the economy:

- The share of manufacturing in GDP should be at least 13 per cent;
- The share of non-primary exports in total exports volume should rise from 27 per cent to 45 per cent. Productivity in the manufacturing industry should be increased twofold, and at least fourfold in agriculture;
- Energy use as a percentage of GDP should be reduced by at least 25 per cent. The share of enterprises active in innovation should increase from 4 per cent to 20 per cent. By 2015, the export potential of the agricultural sector should increase from 4 per cent to 8 per cent, while Kazakhstan's building materials should satisfy 80 per cent of domestic demand for construction.

This is the specific task facing the Government and akims at all levels. That is what we will exact an account for. Therefore, it is necessary to increase the responsibility of managers of all companies and businesses. This is a global issue, an issue of nationhood, and an issue of independence.

In five years, the Government should ensure the doubling of the production and export of metallurgical products and the tripling of the production of chemical products. By 2015, budget revenues from new projects will grow by 300 billion to 400 billion tenge, reducing dependence on sectors related to the export of raw materials.

4. People, the Main Wealth of the Country

Success in the implementation of the strategy of modernization of the country depends, first of all, on knowledge and the social and physical condition of Kazakhstan's citizens.

4.1 Education

By 2020, all children, in both urban and rural areas, will be involved in preschool upbringing and education. We have considerable potential in the sphere of public-private partnerships. Private family kindergartens and mini-centres are an alternative to state institutions.

I charge the Government, together with akims, with developing and proceeding to the implementation of a special "Balapan" programme in the first half of this year, aimed at expanding the involvement of children in preschool upbringing and education.

The Government will take all necessary measures to ensure the 12-year model of learning in secondary education to be successfully applied by 2020.

Vocational and technical education will be based on professional standards and will be tightly interconnected with the needs of the economy.

The quality of higher education will meet the highest international standards. Universities of the country should strive to achieve ratings on par with the leading world universities.

By 2015, the National Innovation System will be fully operational, and by 2020 it should already be yielding results in the form of developments, patents, and ready technologies to be introduced in the country.

Special priority in the educational sphere will be attached to projects, such as those unique educational institutions being established in Astana, including the New International University, the Special Fund and intellectual schools, which are already operating successfully.

I have agreed that they are to be named after me.

We should do all that it takes to make them the flagships of the national educational system and the main platforms for the development and testing of advanced educational programmes with their further implementation throughout the Republic.

I charge the Government with developing and submitting a relevant bill to the Parliament in the first quarter of this year so that these educational organizations would operate adequately.

4.2 Health care

People's health is an integral component of Kazakhstan's success in achieving its strategic goals.

Today we are preparing to introduce a results-oriented system for the financing and payment of medical services. We have created all necessary basic conditions for an effective system of medicine provision.

Fifty per cent of medicines will be manufactured in our country.

It is necessary to accelerate the introduction of amendments into the legislative acts of the Republic on activities of public enterprises in the spheres of education and health care.

Healthy lifestyles and the principle of people's joint responsibility for their own health should be foremost in public policy on health care and the daily life of our population.

The sports infrastructure, which we are preparing for the Asian Games in 2011, will create the necessary prerequisites for the development of a mass sports movement, forcing the regions to keep up with Astana and Almaty.

The Ministry of Tourism and Sports, together with the akims, need to identify joint activities to develop mass sports in the country and to translate them into reality.

Up to 30 per cent of people in Kazakhstan should be involved in mass sports. We will see progress only in this case. This is also a task for the whole Government.

A set of governmental measures on the construction and equipping of health facilities, training personnel and promoting a healthy lifestyle by 2020 will reduce maternal and infant mortality twofold, total mortality by 30 per cent and the incidence of tuberculosis by 20 per cent.

At that, life expectancy is expected to increase to as much as 72 years. Behind these dry figures are the thousands of our citizens' lives that will be saved. This is the most important goal. Therefore, we must achieve it by all means!

4.3 Improving Quality of Life and Social Protection

The major tasks for the forthcoming decade are to improve the quality and standard of life for all citizens of Kazakhstan and to strengthen social stability and security. The state will create all necessary conditions to increase the population of the country by 10 per cent by 2020.

Our primary priority in governmental social policy is to provide employment to the population.

Therefore, I set the goal that by 2020 the unemployment rate will not exceed 5 per cent, and the share of citizens with a substandard income will be no more than 8 per cent.

Social services should be rendered only to needy citizens and correspond to modern standards and standard of living in Kazakhstan.

By 2015, standard pension rate should be increased to the level of 60 per cent of the living wage rate, and the rates of state social allowance should be increased by 1.2 times with respect to 2010.

We are coherent in our actions. Last year, rates of pensions, grants and the wages of employees of the state-financed organizations increased by 25 per cent. Social allowance on average increased by 9 per cent.

A 25 per cent increase in pension rates from the first of January and in grants and wages to public employees from the first of July is provided in the national budget for the current year.

I believe positive economic growth dynamics last year allows us to carry out a 25 per cent increase in grants and wages to public employees three months earlier, as of April 2010. I charge the Government with taking the necessary measures to this end.

4.4 Caring for Veterans

This year we celebrate the sixty-fifth anniversary of the victory in the Great Patriotic War. This date is important in our common history.

Lump-sum aid of 65,000 tenge will be paid to each veteran and disabled soldier from the budget.

Persons considered equivalent to veterans and disabled soldiers, parents and spouses of military men who died in the Great Patriotic War, widows of disabled soldiers and invalids and workers on the home front during the military years will also get material support.

Besides, in connection with the large-scale celebration of the sixty-fifth anniversary of the victory, 383 million tenge are to be provided to cover travel privileges for veterans and disabled soldiers.

This is a tribute to our fathers and grandfathers for their self-sacrificing fight, for their victory and for our peaceful life thanks to them.

4.5 Housing and Utility Sector Policy

The lessons from the crisis require improvement of the policy for housing construction. I believe the system of housing construction savings for this purpose has considerable potential. It is necessary to use the principle of equal partnership of citizens, the Zhilstroisberbank, the state and construction companies.

What does this mean?

Citizens accumulate a part of the cost of housing in the Zhilstroisberbank and have an opportunity to take out an inexpensive mortgage.

The Zhilstroisberbank forms a pool of preferences of citizens in terms of housing, searches for construction investors and second-tier banks ready to finance the construction of housing and finally acts as a customer.

The state, through local executive agencies, allocates land and supplies utilities.

Thus, citizens may participate fully in the construction of their homes. Both consumer demand and controllable construction will be provided. I charge the Government with continuing in 2010 the reconstruction of objects of the housing and utility sector initiated according to the 2009 Road Map plan and, by 2011, with developing a plan of large-scale modernization of the housing and utilities infrastructure to 2020.

Modernization of the housing and utilities infrastructure should be accompanied by a decrease in specific operational costs and the introduction of resource-saving technologies.

It is necessary to continue work on tap water provision in rural areas. In small cities 100 per cent of the population should have access to quality water.

5. Internal Stability, Reliable Foundation of the Strategic Plan 2020

Preservation of harmony and stability in the society and strengthening of the state's security are the main objectives in the sphere of the internal policy and national security to 2020.

In the new decade, we will continue to improve our political system, supporting the success of our economic plans with consecutive political modernization. Legal reform will play a key role in this.

Serious work on reforming the law enforcement system is expected. Today, unfortunately, all of us see problems which have arisen due to ineffective management, conflict in law enforcement bodies' functions, the absence of due personnel work and also the absence of transparency and control over law enforcement system activity in the country.

This sector has kept many defects of the previous system. Penalties comprise less than 5 per cent, corrective works only 0.4 per cent and public works 0 per cent in our penal system.

Imprisonment remains the main type of punishment. Nobody deals with the rehabilitation of people released from prisons.

As a result they join the ranks of serial criminals.

I would single out several general directions of reform.

First, it is necessary to optimize the law enforcement system and build well-defined competence of each state body.

It is necessary to humanize our laws and increase their quality.

In the activities of the law enforcement system, the accent should be moved from intradepartmental interests to the protection of rights of citizens and interests of the state.

We should provide tight parliamentary and public control. Therefore, it is required to improve the system of reporting and estimation of activity of each law enforcement body.

The criteria of effectiveness should be not quantitative indices but quality of work, which will be indicated through the growth of trust of citizens, legal bodies and foreign investors.

In other words, in the new decade we need a new law enforcement system corresponding to high international standards for a law enforcement service in a democratic state. A draft of a corresponding document has been prepared on my order.

Therefore, I ask the Presidential Administration, the Government, the Supreme Court and law enforcement bodies to start this comprehensive and systematic work on modernizing legal policies immediately.

I also charge the Parliament with introducing a bill on reform of the law enforcement system this year.

Dear fellow people of Kazakhstan!

The political process aimed at supporting civic and public institutions in the country will continue.

Our cooperation is one of the main conditions for our common success. In the coming decade, great achievements await us.

I charge the Government with allocating 1 billion tenge to the news media and non-governmental organizations in order to explain the main principles of the programme of social, economic and political development of Kazakhstan to 2020. This should be done through state procurement.

Last year, from this podium, I called on political parties to establish a dialogue among themselves in order to support the country and the society in this difficult crisis period.

My initiative was taken up, as seven political parties jointly developed and signed a memorandum on ensuring economic and political stability in the conditions of economic crisis. I am deeply grateful for that. This was an event of major importance. We note that the political rhetoric during that period was reasonable, while criticism in many cases was indispensable.

This has turned into a national value helping to preserve peace, calm and mutual understanding in a country where we live and where our children grow.

It is time to move forward from a dialogue among political parties to concrete deeds. For any party and association works in the interests of the people of Kazakhstan. That is why I propose to all political parties and public associations to develop a new model of interaction which would effectively lead to national unity and development.

This will bring together all political forces in the interests of the Motherland. The Nur Otan party should play a unifying role in that effort.

Distinguished people of Kazakhstan!

It is impossible to carry out the planned grandiose tasks of the future without a national strategy uniting all.

If we strive to achieve success, each of us should proceed from the following principles:

The first one is that our Motherland, independent Kazakhstan, comes first!

The second is that the state and each citizen refuse to take any steps negatively affecting stability in the society and the welfare of the people of Kazakhstan, whether in the country or abroad.

The third is that economic growth is the business of everyone. This is a key to solving priority social problems and to ensuring the welfare of the whole society and each citizen of Kazakhstan!

The fourth is that the integration into regional and world markets is the most important condition of development.

6. Foreign Policy

Kazakhstan's foreign policy will be based on the Concept of Foreign Policy.

We will pursue an active, pragmatic and balanced foreign policy aimed at ensuring national interests, increasing the international prestige of our country and strengthening national, regional and global security.

Kazakhstan intends to participate in the processes of global decision-making in the formation of a new architecture of international relations and outlines of the world trade and financial system.

Kazakhstan will actively promote the regulation of strategic dialogue between all existing systems of collective security.

Kazakhstan realizes in full its role as a responsible participant in regional and worldwide economic processes and has faultlessly carried it out throughout all the years of its independence.

Therefore, the heads of leading countries of the world and the heads of authoritative international organizations, from economic to humanitarian organizations, consider themselves friends of Kazakhstan.

We should be proud of this.

Kazakhstan's high international reputation allowed our country to become the chairman of the Organization for Security and Cooperation in Europe. It is a great

honour for us. It brings the highest responsibility of chairing the OSCE during the most complicated period of the modern history of mankind.

The OSCE, with the unique geographic structure of participants, including 56 states located on three continents, with a wealth of experience on interaction of the states, is one of the key mechanisms of international security and cooperation.

We have already outlined our vision of the chairmanship of the OSCE. Therefore, I will not go into details.

Kazakhstan's chairmanship in the most authoritative organization for security will have the motto, "Trust. Traditions. Transparency. Tolerance".

Jointly, we will search for common ways of tackling many pressing problems and develop mechanisms for the prevention of possible crisis situations.

We intend to expand and strengthen the consensus on basic security issues, as well as on the development of the Organization itself.

We will do everything it takes to make the OSCE structure recognizing the diversity of the world of the twenty-first century.

Many OSCE participating states supported the plans of Kazakhstan, as well as my proposal on holding an OSCE summit in Astana this year.

I suggested discussing actual problems related to security in the area of the OSCE, the situation in Afghanistan and tolerance issues at the summit.

Our chairmanship in the OSCE will be aimed at the development of security and prosperity of people all over the world.

Dear people of Kazakhstan!

Distinguished members of Parliament!

As you see, we are ready for a new stage of development of our country. We have never before solved such a complicated and considerable task.

We have carefully analysed and weighed all our possibilities for one decade forward.

The Development Programme to 2020 will be given to you and published in the press. There, we basically preview on a monthly basis what will be made and built, as well as where and how. And the most important thing, as was mentioned above, is that all of our efforts be supported by the necessary financial resources.

We know what difficulties we will face. The world crisis is not over yet, but its critical stage has passed. As I did last year, I warn that force majeure circumstances may change our plans, but our general line will be kept.

This is the essence and importance of our programme.

Everyone will get access to quality medical services.

Quality education from kindergarten to university will be accessible to each family throughout the country.

The quality of housing and utility services will be improved in the country.

Pensioners, the disabled and needy families will be safely protected.

The youth, the basis of our future, will have new possibilities to build their future.

These are new possibilities which are being opened before each of you, before your family, before our country.

Having united for the sake of achieving our strategic objectives defined by the Development Strategy to 2030, we successively carry out our mission: we are building an independent, prosperous and politically stable Kazakhstan.

We place high hopes on members of the Nur Otan party, who should mobilize all the society, all members of the party, in order to explain and implement the tasks of the forthcoming decade, basically leading this work and making it their own programme.

My compatriots!

Concluding my address to you, I would like to tell you: together we have succeeded in making Kazakhstan successful and together we can make it prosperous.

There is a wise folk saying: "A nation which lives in accord is accompanied by success".

Having strengthened our statehood, we praised the valor of the Kazakh people. We have reached high results, but there is still much to do, and there are many ambitious goals ahead.

A country with a small population and a developing economy requires new technologies. Only under these terms will we be equal to advanced global powers and regional states.

The final goal of this programme is to strengthen the independence of Kazakhstan and the Kazakh people as a nation and to open opportunities for the Kazakh language and culture to develop and flourish.

This aim can be achieved by maintaining the unity of the people of Kazakhstan.

We can achieve this goal only by preserving the unity of the people. Recently, I have been receiving letters and telegrams from all parts of Kazakhstan, most of them with questions on the present chairmanship of Kazakhstan in the OSCE and my personal work. In this regard, I will give an example of one of the letters in order that you may visualize the sentiments of the people:

> Dear Nursultan Abishuly, Kazakhstan is playing a leading role in Europe today, which is the source of pride and joy for us. For 85,000 residents living near the border area, security and cooperation is of particular importance. This is the main goal and desire of the people. Did the Kazakh people ever play such a prominent role in Europe, when at best we had only dreamt of looking that way? I wish you and the Kazakh people success in worthily fulfilling this important mission. In our region, people live in peace and health. The most important thing is, nothing is disturbing the dreams of our children. The living conditions have been gradually improved. May God support you in your work.
>
> Signed, Sovet Orazaev, an honorary citizen of the Rayimbek District.

Numerous letters with outright support reflect the generosity and patience of the people. They show high literacy and deep understanding and awareness of present situation in our own country and in the rest of the world.

Therefore, in this sense, with knowledge and perseverance, we must achieve the successful implementation of this programme. This is a task not only for the President, the Parliament and the Government.

We want our own future to be bright. In this case, we must take on extra work and roll up our sleeves.

I wish you, dear compatriots, success in achieving these noble goals!

Thank you for your attention.

United Nations A/64/675

General Assembly

Distr.: General
22 February 2010

Original: English

Sixty-fourth session
Agenda item 23
Question of the Falkland Islands (Malvinas)

Letter dated 18 February 2010 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

In accordance with instructions received from the Government of the United Kingdom of Great Britain and Northern Ireland, I have the honour to refer to the letter dated 3 January 2010 from the Permanent Representative of Argentina addressed to you, transmitting in an annex the text of a press release issued on 3 January 2010 by the Government of Argentina on the question of the Falkland Islands (A/64/621).

The Government of the United Kingdom has no doubt about the sovereignty of the United Kingdom over the Falkland Islands, South Georgia and the South Sandwich Islands and their surrounding maritime areas, and rejects the claims by the Government of Argentina to sovereignty over those islands and maritime areas and that the Falkland Islands are under illegal occupation by the United Kingdom.

The Principle of self-determination, enshrined in the Charter of the United Nations, underlies our position on the sovereignty of the Falkland Islands. There can be no negotiation on the sovereignty of the Falkland Islands unless and until such time as the Falkland Islanders so wish. The Islanders regularly make it clear that they wish the Falkland Islands to remain under British sovereignty. The right of the people of the Falkland Islands to determine their political future was freely exercised throughout the negotiation of the new Falkland Islands Constitution, which came into force on 1 January 2009, and the democratic election of eight new legislative assembly members on 4 November 2009.

The United Kingdom firmly rejects the assertion that developments on the Falkland Islands show disregard for any General Assembly resolution or violate, either in practice or in spirit, any aspect of the Joint Statements by the United Kingdom and Argentina. All developments affecting the economy of the Falkland Islands have been decided on by the Falkland Islands Government and their people. The United Kingdom supports the Falkland Islands Government's economic decisions and appreciates the need for the islands to adapt to the current financial climate.

10-24792 (E) 250210

Please recycle

The formula on sovereignty agreed by both Governments as part of the Joint Statements was intended to enable the re-establishment of diplomatic relations between the United Kingdom and Argentina, whilst protecting both countries' positions on the sovereignty of the Falkland Islands, and thereafter to enable practical cooperation in the South Atlantic and to facilitate confidence-building. The Joint Statements make no reference to negotiations on sovereignty or being provisional in nature.

The United Kingdom continues to believe that there are many opportunities for cooperation in the South Atlantic under the sovereignty formula which would be of mutual benefit. However, Argentina has chosen to withdraw from cooperation on the South Atlantic Fisheries Commission and the Joint Declaration on Hydrocarbons in recent years. Argentina placed a ban on charter flights travelling to the islands in 2003. Argentina also introduced domestic legislation to penalize companies that wish to do business in or with the Falkland Islands. The United Kingdom has make a number of proposals for different types of cooperation and remains keen to foster a constructive relationship with Argentina and to promote practical cooperation in the South Atlantic.

South Georgia and the South Sandwich Islands is a separate British Overseas Territory that is not considered under the question of the Falkland Islands, and it is not a listed territory within the United Nations Decolonization Committee.

I should be grateful if you would circulate the text of the present letter as a document of the General Assembly under agenda item 23.

(*Signed*) Mark **Lyall Grant**

United Nations A/64/676

General Assembly

Distr.: General
23 February 2010

Original: English

Sixty-fourth session
Agenda item 39
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Letter dated 8 February 2010 from the Permanent Representative of Denmark to the United Nations addressed to the Secretary-General*

I have the honour to convey the Act on Greenland Self-Government (see annex I), which entered into force on 21 June 2009, Greenland's National Day. The Act is based on an agreement between Naalakkersuisut (the Government of Greenland) and the Danish Government as equal partners. It was approved by the Greenlandic people at a referendum held on 25 November 2008 and adopted by the Danish Folketing (Parliament) on 12 June 2009.

It is acknowledged in the preamble of the Act on Greenland Self-Government that the people of Greenland are a people with the right to self-determination under international law. In that view, the Danish and Greenlandic Governments share the understanding, also recorded in the preparatory work of the Act on Greenland Self-Government, that it would be contrary to the principles stated in the preamble were the Danish Government to repeal the Act unilaterally.

According to section 21 of the Act, decisions regarding Greenland's independence shall be taken by the people of Greenland. Until any such decision has been endorsed by the Greenlandic and the Danish Parliaments, Greenland remains part of the Kingdom of Denmark. The Act does not prejudice the rights of the people of Greenland under international law.

Since 1979, Greenland has enjoyed home rule. The new Act on Greenland Self-Government opens for expansion and transfer of further competences and responsibilities from the Danish authorities to the Greenland authorities.

With self-government in place, the Government of Greenland has the right to take over the responsibility for and competences over, inter alia, administration of justice and the establishment of courts of law, the police, and mineral and oil resources. Public revenues from mineral and oil resource activities in Greenland shall accrue to Greenland. With self-government, Greenlandic has also become the official language in Greenland.

* The annexes are being circulated in the original language of submission only.

10-24940 (E) 040310

Please recycle

BEST COPY AVAILABLE

Pursuant to section 12 of the Act, Naalakkersuisut (the Government of Greenland) may, on behalf of the Kingdom of Denmark, negotiate and conclude agreements with foreign states and international organizations, including administrative agreements, which exclusively concern Greenland and entirely relate to fields of responsibility taken over by Greenland. Where international organizations allow entities other than states and associations of states to attain membership in their own name Greenland can become member of such organizations in its own name, in so far as this does not conflict with Greenland's constitutional status. The powers granted to the Government of Greenland shall not limit the Danish Government's constitutional responsibility and powers relating to international affairs.

The Act was prepared by the Greenland-Danish Self-Government Commission, comprising members of the Greenland Landsting (now Inatsisartut — Parliament) and the Danish Folketing (Parliament). The Act on Greenland Self-Government is with slight technical changes identical to the draft found in the report of the Commission. The complete Act and the joint executive summary of the Greenland-Danish Self-Government Commission's report are annexed to the present letter (annexes I and II).

I should be grateful if you would have the present letter circulated as a document of the General Assembly under agenda item 39.

(*Signed*) Carsten **Staur**
Ambassador
Permanent Representative

Annex I to the letter dated 8 February 2010 from the Permanent Representative of Denmark to the United Nations addressed to the Secretary-General

Act on Greenland Self-Government

WE, MARGRETHE THE SECOND, by God's Grace Queen of Denmark, hereby announce that:

The Danish Parliament has passed the following Act, which We have ratified by giving Our assent:

Recognising that the people of Greenland is a people pursuant to international law with the right of self-determination, the Act is based on a wish to foster equality and mutual respect in the partnership between Denmark and Greenland. Accordingly, the Act is based on an agreement between Naalakkersuisut [Greenland Government] and the Danish Government as equal partners.

CHAPTER 1
THE SELF-GOVERNMENT AUTHORITIES AND THE COURTS

1. The Greenland Self-Government authorities shall exercise legislative and executive power in the fields of responsibility taken over. Courts of law that are established by the Self-Government authorities shall exercise judicial power in Greenland in all fields of responsibility. Accordingly, the legislative power shall lie with Inatsisartut [Greenland Parliament], the executive power with Naalakkersuisut, and the judicial power with the courts of law.

CHAPTER 2
THE SELF-GOVERNMENT AUTHORITIES' ASSUMPTION OF FIELDS OF RESPONSIBILITY

2. (1) The Greenland Self-Government authorities may determine that the fields of responsibility that appear from the Schedule to this Act shall be transferred to the Self-Government authorities.
(2) To the extent that several fields of responsibility are listed under the same paragraph or number in the Schedule to this Act, the fields of responsibility concerned shall be transferred to the Greenland Self-Government authorities at the same time, but see subsection (3).
(3) The Greenland Self-Government authorities may determine that part of the fields of responsibility that are listed in List I, para b and List II, Nos. 15, 25 and 27 in the Schedule to this Act shall be transferred to the Self-Government authorities.

3. (1) Fields of responsibility that appear from List I of the Schedule shall be transferred to the Greenland Self-Government authorities at points of time fixed by the Self-Government authorities.
(2) Fields of responsibility that appear from List II of the Schedule shall be transferred to the Greenland Self-Government authorities at points of time fixed by the Self-Government authorities after negotiation with the central authorities of the Realm.

4. Naalakkersuisut and the Government may agree that fields of responsibility which exclusively concern Greenland affairs, and which are not referred to in the Schedule, may be assumed by the Greenland Self-Government authorities.

CHAPTER 3
ECONOMIC RELATIONS BETWEEN THE GREENLAND SELF-GOVERNMENT AUTHORITIES AND THE DANISH GOVERNMENT

5. (1) The Government shall grant the Greenland Self-Government authorities an annual subsidy of DKK 3,439.6 million, but see section 8 (1). The amount is indicated in 2009 price and wage levels.
(2) The subsidy shall be adjusted annually in accordance with the increase in the general price and wage index of the Finance and Appropriation Act for the year concerned.
(3) The subsidy shall be paid in advance in the form of a monthly payment of 1/12.
(4) Subject to agreement with Naalakkersuisut, the Minister for Finance may lay down rules on changed dates for disbursement.

6. (1) Fields of responsibility that are assumed by the Greenland Self-Government authorities pursuant to sections 2-4 shall be financed by the Self-Government authorities from the date of assumption.
(2) The Greenland Self-Government authorities shall assume the real assets that are directly related to a field of responsibility that is taken over.

7. (1) Revenue from mineral resource activities in Greenland shall accrue to the Greenland Self-Government authorities.
(2) The revenue referred to in subsection (1) shall include the following revenue:
1) Revenue in accordance with specific licenses for prospecting for, exploration for, or the exploitation of mineral resources. This shall not, however, include amounts paid to cover expenditure under the auspices of the Bureau of Minerals and Petroleum.
2) Revenue from any taxation in Denmark and Greenland of licence holders with respect to the part of the business that relates to mineral resources in Greenland.
3) Revenue from Greenland and Danish public authorities' stakes in companies, etc. that operate in the mineral resource area in Greenland.
4) Revenue from withholding tax, etc. in Denmark and Greenland concerning shareholders in companies that are licence holders, or in companies that entirely own such companies directly or indirectly and can receive tax-free dividend from these.

8. (1) If revenue from mineral resource activities in Greenland accrues to the Greenland Self-Government authorities, cf. section 7, the Government's subsidy to the Self-Government authorities shall be reduced by an amount corresponding to half the revenue which, in the year concerned, exceeds DKK 75 million.
(2) With effect from 1 January the year after the commencement of the Act, the amount of DKK 75 million referred to in subsection (1) shall be adjusted annually in accordance with the increase in the general price and wage index of the Finance and Appropriation Act for the year concerned.
(3) Calculation pursuant to subsection (1) shall take place the subsequent year with a view to payment the following year.

9. (1) With the assumption of the mineral resource area by the Greenland Self-Government authorities, the Government shall, against payment, ensure the provision of consultancy and other attendance to tasks for the purpose of the Self-Government authorities' attendance to the mineral resource area.
(2) With effect from the Greenland Self-Government authorities' assumption of the mineral resource area, Naalakkersuisut and the Government shall conclude an agreement on the services referred to in subsection (1).

(3) Naalakkersuisut may decide to renew the agreement referred to in subsection (2) in the form of multi-year agreements.
(4) Where agreements are concluded pursuant to subsection (2) and subsection (3), the Government shall, free of charge, provide Naalakkersuisut with research of special relevance to mineral resource exploration in Greenland.

10. If the Government's subsidy to the Greenland Self-Government authorities is reduced to zero kroner, cf. section 8, negotiations shall be initiated between Naalakkersuisut and the Government regarding the future economic relations between the Greenland Self-Government authorities and the Government. The negotiations shall include the distribution of revenue from mineral resource activities in Greenland, resumption of the Government's subsidy to the Greenland Self-Government authorities, and continuation of an agreement regarding the services referred to in section 9.

CHAPTER 4
FOREIGN AFFAIRS

11. (1) Naalakkersuisut may act in international affairs as laid down in this Chapter and in agreements with the Government.
(2) The Government and Naalakkersuisut shall cooperate in international affairs as laid down in this Chapter with a view to safeguarding the interests of Greenland as well as the general interests of the Kingdom of Denmark.
(3) The powers granted to Naalakkersuisut in this Chapter shall not limit the Danish authorities' constitutional responsibility and powers in international affairs, as foreign and security policy matters are affairs of the Realm.

12. (1) Naalakkersuisut may, on behalf of the Realm, negotiate and conclude agreements under international law with foreign states and international organisations, including administrative agreements which exclusively concern Greenland and entirely relate to fields of responsibility taken over.
(2) Agreements under international law which exclusively concern Greenland and the Faroe Islands and entirely relate to fields of responsibility taken over may, subject to decision by Naalakkersuisut as well as the Faroe Islands Landsstyre [Government of the Faroes], be negotiated and concluded jointly on behalf of the Realm by Naalakkersuisut and the Faroe Islands Landsstyre.
(3) Agreements under international law concluded pursuant to subsection (1) or subsection (2) may be terminated according to the same provisions.
(4) Agreements under international law affecting the defence and security policy as well as agreements under international law which are to apply to Denmark, or which are negotiated within an international organisation of which the Kingdom of Denmark is a member shall be negotiated and concluded according to the rules laid down in section 13.
(5) Naalakkersuisut shall inform the Government of negotiations under consideration before these are initiated and of the development of the negotiations before agreements under international law are concluded or terminated. A more detailed framework for the cooperation in accordance with this provision shall be determined after negotiation between Naalakkersuisut and the Government.
(6) Agreements under international law pursuant to subsection (1) shall be concluded on behalf of the Realm by Naalakkersuisut under the designation of:

a) The Kingdom of Denmark in respect of Greenland where the agreement appears as concluded between states.
b) Naalakkersuisut where the agreement appears as concluded between governments or between administrative authorities. In that case, reference shall be made in the preamble of the agreement to the present Act as specified pursuant to subsection (8).

(7) Agreements under international law pursuant to subsection (2) shall be concluded jointly on behalf of the Realm by Naalakkersuisut and the Faroe Islands Landsstyre under the designation of the Kingdom of Denmark in respect of the Faroe Islands and Greenland.
(8) More detailed rules for the use of designations referred to in subsections (6) and (7) as well as other similar designations may be determined in accordance with subsection (5).

13. (1) The Government shall inform Naalakkersuisut before negotiations are initiated regarding agreements under international law which are of particular importance to Greenland. Subject to request by Naalakkersuisut, an agreement may be concluded with the Minister concerned who shall lay down detailed cooperation rules within the framework of this provision, including a detailed determination of criteria for when agreements shall be deemed to be of particular importance to Greenland.
(2) In matters which exclusively concern Greenland, the Government may authorise Naalakkersuisut to conduct the negotiations, with the cooperation of the Foreign Service.
(3) Agreements where Denmark and Greenland have been jointly involved in the negotiations shall be signed by the Government, to the widest extent possible, together with Naalakkersuisut.
(4) Agreements under international law which are of particular importance to Greenland must, before they are concluded or terminated, be submitted to Naalakkersuisut for comments. If the Government deems it necessary to conclude the agreement without the consent of Naalakkersuisut, this shall, to the widest extent possible, have no effect for Greenland.

14. Where international organisations allow entities other than states and associations of states to attain membership in their own name, the Government may, subject to request by Naalakkersuisut, decide to submit or support such an application from Greenland where this is consistent with the constitutional status of Greenland.

15. As requested by Naalakkersuisut, representatives of Naalakkersuisut shall be appointed to the diplomatic missions of the Kingdom of Denmark to attend to Greenland interests within fields of responsibility that have been entirely assumed by the Self-Government authorities. The Government may determine that expenditure to this end shall be borne by Naalakkersuisut.

16. (1) Greenland Self-Government authorities shall be subject to the obligations that arise out of agreements under international law and other international rules which are at any time binding on the Realm.
(2) Measures under consideration by the Self-Government authorities which would be of substantial importance for the foreign relations of the Realm, including participation by the Realm in international cooperation, shall be negotiated with the Government before any decision is taken.

CHAPTER 5
COOPERATION BETWEEN THE GREENLAND SELF-GOVERNMENT AUTHORITIES AND THE CENTRAL AUTHORITIES OF THE REALM REGARDING STATUTES AND ADMINISTRATIVE ORDERS

17. (1) The Government's Bills which comprise or may be brought into force for Greenland must, before they are presented to the Folketing, be submitted to the Greenland Self-Government authorities for comments.
(2) The Government shall await the Self-Government authorities' comments before presenting Government Bills to the Folketing which contain provisions that exclusively apply to Greenland or are of particular importance to Greenland.
(3) A time limit may be fixed for the submission of comments comprised by subsection (2).

18. (1) Draft administrative orders which comprise or may be brought into force for Greenland must, before they are issued, be submitted to the Greenland Self-Government authorities for comments.
(2) The issue of administrative orders which contain provisions that exclusively apply to Greenland or are of particular importance to Greenland shall await the Self-Government authorities' comments.
(3) A time limit may be fixed for the submission of comments comprised by subsection (2).

CHAPTER 6
DISPUTE RESOLUTION

19. (1) Should any question of doubt arise between the Greenland Self-Government authorities and the central authorities of the Realm concerning the Self-Government authorities' responsibility in relation to the central authorities, the Government or Naalakkersuisut may decide to lay the question before a board consisting of two members nominated by the Danish Government, two members nominated by Naalakkersuisut, and three judges of the Supreme Court nominated by its President, one of whom shall be nominated as chairman.
(2) If the four members nominated by the Government and Naalakkersuisut reach agreement, the question shall be considered settled. If these four fail to reach agreement, the question shall be decided by the three Supreme Court judges.
(3) The board may decide to suspend the enactment or decision which has been placed before the board until such time as the board's decision is taken.

CHAPTER 7
LANGUAGE

20. Greenlandic shall be the official language in Greenland.

CHAPTER 8
GREENLAND'S ACCESS TO INDEPENDENCE

21. (1) Decision regarding Greenland's independence shall be taken by the people of Greenland.
(2) If decision is taken pursuant to subsection (1), negotiations shall commence between the Government and Naalakkersuisut with a view to the introduction of independence for Greenland.
(3) An agreement between Naalakkersuisut and the Government regarding the introduction of independence for Greenland shall be concluded with the consent of Inatsisartut and shall be endorsed by a referendum in Greenland. The agreement shall, furthermore, be concluded with the consent of the Folketing.
(4) Independence for Greenland shall imply that Greenland assumes sovereignty over the Greenland territory.

CHAPTER 9
ENTRY INTO FORCE AND TRANSITIONAL PROVISIONS

22. The Act shall enter into force on 21 June 2009.

23. (1) Act No. 577 of 29 November 1978 on Greenland Home Rule shall be repealed, but see subsection (2).
(2) Section 8 of the Greenland Home Rule Act shall remain in force until the mineral resource area is taken over by the Greenland Self-Government authorities.
(3) The Greenland Self-Government authorities shall continue to exercise legislative and executive power in fields of responsibility that have been assumed pursuant to section 4 of the Greenland Home Rule Act.
(4) The Greenland Self-Government authorities shall exercise legislative and executive power in fields of responsibility that have been assumed pursuant to section 5 of the Greenland Home Rule Act.

24. (1) Act No. 577 of 24 June 2005 on the conclusion of agreements under international law by the Government of Greenland shall be repealed.
(2) Orders issued in pursuance of the Act shall remain in force with the amendments that arise out of this Act until they are amended or repealed by the proper authority.

25. Section 22 of the Act on Mineral Resources in Greenland, cf. Consolidation Act No. 368 of 18 June 1998 shall be repealed.

26. Act on the establishment of a company to attend to hydrocarbon activities in Greenland, etc., cf. Consolidation Act No. 87 of 9 February 1999 shall be repealed.

27. Act No. 502 of 6 June 2007 on subsidy to the Greenland Home Rule in 2008 and 2009 shall be repealed.

28. Provisions that apply to Greenland shall remain in force with the amendments that arise out of this Act until they are amended or repealed by the proper authority.

29. (1) Matters which at the time of transfer of a field of jurisdiction to the Greenland Self-Government authorities are under consideration by a Danish authority shall be finalised by the Greenland authority concerned, but see subsection (2)
(2) The Danish authority concerned may in special cases and subject to agreement with the Greenland authority concerned decide that certain specific matters shall be finalised by the Danish authorities.

Given at Amalienborg on 12 June 2009

Under Our Royal Hand and Seal

MARGRETHE R.

/ Lars Løkke Rasmussen

SCHEDULE

List I

a) Industrial injury compensation
b) The remaining areas under the health care area
c) The road traffic area
d) The law of property and obligations
e) The commercial diving area

List II

1) Prison and probation service
2) Passports
3) Police and prosecution service as well as related parts of the administration of criminal justice
4) Administration of justice, including the establishment of courts of law
5) Criminal law
6) The aliens area and border controls
7) Law of capacity
8) Family law
9) Succession law
10) Law practice
11) The weapons area
12) Radio-based maritime emergency and security services
13) The radio communications area
14) The company, accounting and auditing area
15) The food and veterinary area
16) Aviation
17) Intellectual property
18) Copyright
19) Shipwreck, wreckage and degradation of depth
20) Security at sea
21) Ship registration and maritime matters
22) Charting
23) The buoyage, lighthouse and pilotage area
24) Marine environment
25) Financial regulation and supervision
26) The mineral resource area
27) The working environment
28) Meteorology

Annex II to the letter dated 8 February 2010 from the Permanent Representative of the Denmark to the United Nations addressed to the Secretary-General

The Greenland-Danish Self-Government Commission's Report on Self-Government in Greenland

Executive Summary

April 2008

Background to the establishment of the Greenland-Danish Self-Government Commission

The historical background, including the Greenland Home Rule Arrangement
Before the introduction of Home Rule in 1979, the Greenland population was only involved in the government of the country to a limited extent.

From the colonisation of Greenland in 1721 and up to about the middle of the 19th century, Greenland was administered by the Danish Government. In the middle of the 19th century, elected assemblies were established: so-called *managers* were elected to administer local matters. In 1911, *local councils* were set up and two *provincial councils*. The primary tasks of the local councils were the administration of social assistance and the maintenance of law and order. The provincial councils were responsible for discussing joint concerns for the individual provincial council district and were entitled to present proposals to the authorities in Denmark. In 1925, the local and provincial councils were supplemented with *district councils* that were to provide assistance to business and the labour market in Greenland in the form of loans, subsidies and the like.

In 1951, the above-mentioned councils were replaced by *municipal councils* and one joint *provincial council* covering all Greenland, respectively. The primary task of the common provincial council was to act as an adviser in relation to the Danish Government. The council had only very limited, direct responsibility for societal tasks in Greenland.

In the period from 1945 to 1954, Greenland figured on the list of non-self-governing territories under Chapter XI of the United Nations Charter, and during this period Denmark had to submit reports on the situation at regular intervals to the relevant decolonisation bodies of the United Nations. The reporting ceased in 1954 when the United Nations General Assembly took note of Greenland's integration into the Kingdom of Denmark.

In the first half of the 1970s, a number of tasks were transferred from the Government to the Greenland municipalities. Greenland became a member of the EEC (today the EU) together with Denmark in 1973. Greenland membership of the EEC ceased in 1985, at which time Greenland obtained an OLT (Overseas Countries and Territories Agreement) arrangement.

In 1973, an internal Greenland *Home Rule Committee* was set up for the purpose of considering the possibility of establishing a Home Rule Arrangement within the framework of the unity of the Realm. The Committee presented a proposal for negotiation in 1975, which led to the establishment of a *Home Rule Commission* the same year. Approximately three years later, the Commission's work resulted in the adoption of the Greenland Home Rule Arrangement, first by the Folketing (Danish Parliament) and subsequently by the Greenland population. The Greenland Home Rule Arrangement came into force on 1 May 1979.

With the establishment of the Home Rule Arrangement, it became possible for Greenland to assume legislative and executive power regarding Home Rule matters. Over at number of years, a series of important fields of responsibility were assumed by the Home Rule Government, including Greenland's internal administration, direct and indirect taxes, the established church, fishing in the territory, hunting, agriculture and reindeer breeding, social

welfare, labour market affairs, education and cultural affairs, vocational education, other matters relating to trade, health services, the housing area, and protection of the environment.

The Greenland Home Rule Commission

After 20 years of home rule, practically all fields of responsibility that may be transferred under the Home Rule Act had been taken over by the Home Rule Government. Recognising that there was a need for revising Greenland's position within the unity of the Realm, the Landsstyre (Greenland Government) set up the Greenland Home Rule Commission at the turn of the year 1999-2000.

The Commission presented its report in 2003. After recommendation by the Landsstyre, the Landsting (Greenland Parliament) endorsed the Commission's recommendations and proposal to set up a joint Greenland-Danish commission.

The background to the establishment of the Greenland-Danish Self-Government Commission is set out in detail in Chapter 1 of the report.

The Self-Government Commission and its work

On 21 June 2004, the Danish Prime Minister and the Greenland Premier (Landsstyreformand) signed the terms of reference for the Greenland-Danish Self-Government Commission. Immediately after, the Commission was established. The Commission, which has now completed its work, has comprised a chairman, a deputy chairman and seven members appointed by the Government after recommendation by the Folketing and seven members appointed by the Landsstyre after recommendation by the parties or groupings of the Landsting. At the time of the completion of the report, the following persons were members of the Commission:

Chairman Jonathan Motzfeldt (former Speaker of the Landsting), Deputy Chairman Christian Mejdahl (former Speaker of the Folketing), Per Berthelsen (ML (Member of the Landsting)), Anthon Frederiksen (ML), Ruth Heilmann (Speaker of the Landsting), Lars-Emil Johansen (MF (Member of the Folketing) and ML), Kuupik Kleist (ML), Johan Lund Olsen (ML), Augusta Salling (ML), Kim Andersen (MF), Line Barfod (MF), Søren Espersen (MF), Frank Jensen (former MF), Kristen Touborg Jensen (MF), Per Ørum Jørgensen (MF) and Niels Helveg Petersen (MF).

In addition, the following participated: Professor at University of Lund Gudmundur Alfredsson and Permanent Secretary of the Premier's Office Kaj Kleist, appointed delegates by the Landsstyre, as well as chief legal adviser of the Prime Minister's Office Anne Kristine Axelsson, and Professor at Aarhus University Jens Hartig Danielsen, appointed delegates by the Government.

The Commission has, furthermore, obtained external expert assistance to cast light on specific subjects.

The Commission commenced its work in September 2004. The Commission has set up three working groups, which have considered specific subjects such as mineral resources in the

subsoil, economy and industrial development, as well as issues of national and international law. On 17 April 2008, the Commission held its 12th and last meeting.

The work of the Commission rests on the terms of reference drawn up jointly by the Government and the Landsstyre. In accordance with the terms of reference:

> *The Commission shall, on the basis of Greenland's present constitutional position and in accordance with the right of self-determination of the people of Greenland under international law, deliberate and make proposals for how the Greenland authorities can assume further powers, where this is constitutionally possible. The Commission shall draw up proposals for a new arrangement which also takes into consideration the fields of responsibility that have already been assumed by the Greenland authorities under the Greenland Home Rule Act.*
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> ---
>
> *The Commission shall base its work on the principle that there must be accordance between rights and obligations. The Commission shall deliberate and make proposals for a new arrangement concerning the economic situation between Greenland and Denmark.*
>
> ---
>
> *The Danish Government and the Greenland Landsstyre are in agreement that it is for the people of Greenland to decide whether Greenland wishes independence, and that the new arrangement shall imply no change to that. Where relevant, independence will have to be implemented through the conclusion of an agreement to this effect under the rules laid down in section 19 of the Danish Constitution. The Commission's proposals for a new arrangement shall contain a provision on Greenland's access to independence in accordance with this.*

The Commission will submit its report to the Government and the Landsstyre. The entire Commission, apart from one member, has endorsed the report.

The Self-Government Commission and its work are set out in detail in Chapter 2 of the report.

Overall preconditions and clarification of the framework for the Commission's work

The main task of the Self-Government Commission has been to submit draft legislation regarding a Self-Government Arrangement for Greenland. A significant element of the arrangement is that it will be possible for the Self-Government authorities to assume responsibility for more fields than those already taken over under the Home Rule Arrangement. The Commission, however, has not had an altogether free hand in drafting the proposal as the Landsstyre and the Government, in the terms of reference for the work, have laid down a certain framework which the Commission has been obliged to comply with.

Consequently, the new arrangement is to be placed "within the framework of the existing unity of the Realm" and take its "point of departure in Greenland's present constitutional position", i.e. the existing Danish Constitution.

This framework for the assumption of fields of responsibility has been altogether crucial to the Commission's deliberations, but there has not been complete agreement among the Commission's members on the scope and interpretation of the framework. The Commission's deliberations have led to a decision to consider the Government's view of national law, as interpreted by the Ministry of Justice, the basis for the Commission's draft Act on Greenland Self-Government. The Commission notes in that connection that this decision cannot be seen as an indication that all the members of the Commission are in agreement with the Government's view regarding this point.

Against this background, the Self-Government authorities may take over all fields of responsibility that have not already been assumed by the Home Rule Government, with the exemption of the following: the constitution, foreign affairs, defence and security policy, the Supreme Court, nationality, and exchange rate and monetary policy.

Another significant element of the arrangement is that the Commission's proposal, cf. the terms of reference, must rest on the principle of accordance between rights and obligations. It is the opinion of the Commission that this implies that increased Self-Government for Greenland must be linked to increased economic responsibility. Consequently, Greenland must to a greater extent than today be able to generate the necessary revenue in order to finance increased Self-Government and, thus, in this way become less dependent on the subsidy from the Government, cf. Chapter 6.

Furthermore, the Self-Government Arrangement is to be "in accordance with the right of self-determination of the people of Greenland under international law". The effect of this has been a number of discussions of the framework for the work that can be deduced from international law.

The members of the Commission are in agreement that the people of Greenland can be characterised as a people within the meaning of international law. In this connection, the Commission has discussed among other things what can be deduced from the concept "a people's right of self-determination", for example in relation to the possibility of demanding independence. The discussions have not resulted in any final clarification of the scope of the right of self-determination, but, irrespective of the specific scope of the Greenland people's right of self-determination, the Commission notes that there is agreement between the Landsstyre and the Government that the decision must lie with the people of Greenland as to whether Greenland wishes independence. This is reflected in the Commission's draft Act on Greenland Self-Government, cf. Chapter 10.

The overall preconditions of and framework for the Commission's work are set out in detail in Chapter 3 of the report.

The Self-Government authorities

According to the Home Rule Act, the elected assembly, the Landsting, has the legislative power, whereas the executive body, the Landsstyre, is elected by the Landsting (on the basis of absolute majority). Detailed regulation of the relations between the legislative and the executive authorities is the responsibility of the Home Rule Government itself.

The Self-Government Commission is in agreement with the principle that detailed regulation of the relations between the Landsting and the Landsstyre is the responsibility of the Self-Government authorities. Therefore, the Commission has not considered the issue in detail. However, the Commission wishes to propose that in connection with the provisions of the Act on Greenland Self-Government regarding the two authorities, the Greenland designations should be used for Landsting and Landsstyre, namely Inatsisartut and Naalakkersuisut.

The principle of the tripartite division of power under Self-Government, including maximum competence to the Self-Government authorities, may be realised provided the Self-Government authorities, in addition to the legislative and administrative power in fields of responsibility that have been taken over, also assume the regulation of the administration of justice in Greenland, including the establishment of independent courts of law. Therefore, the Commission has proposed that the prison and probation service, the police and the prosecution service, criminal law and the administration of justice, including the establishment of independent courts of law in Greenland, could be transferred to the Self-Government authorities under the Act on Greenland Self-Government.

The Supreme Court will, however, remain the highest judicial authority of the Realm, also after the transfer of the administration of justice to the Self-Government authorities.

Greenland Self-Government authorities will, accordingly, have the legislative and executive power within the fields of responsibility taken over, whereas the judicial power will lie with the courts of law, including with courts to be set up by the Self-Government authorities.

The Self-Government authorities are set out in detail in Chapter 4 of the report.

The Self-Government authorities' assumption of fields of responsibility

Since the introduction of the Home Rule Arrangement in 1979, the Greenland Home Rule Government has assumed responsibility for practically all the fields that are indicated in the Home Rule Act. With the Self-Government Arrangement, the stage is set for assuming additional fields of responsibility, and the Self-Government Commission has discussed the model for taking over such additional fields.

The Commission's proposal is a combination of a "positive list" and an "agreement model". Thus, a Schedule to the Act on Greenland Self-Government (the positive list) presents a number of fields of responsibility that may be assumed by the Self-Government authorities. Among those that may be taken over are, for example, the mineral resource area; the police and the prosecution service; the administration of justice, including the establishment of courts of law; the prison and probation service; law of legal capacity, family law and succession law; aliens and border controls; the field relating to company law, accounting and auditing; financial regulation and supervision. In addition, the Landsstyre and the Government may agree that also other fields not listed in the Schedule to the Act (for example

new fields of responsibility that are not known today) may be assumed if they exclusively concern Greenland affairs (the agreement model).

The fields of responsibility that may be assumed are presented in two lists (List I and List II). The authority to decide on the point of time for Greenland to assume a field of responsibility from either list lies with the Self-Government authorities. It is, however, a precondition that before the Self-Government authorities fix the point of time for taking over the fields presented in List II, negotiation must take place between the Landstyre and the Government, as the fields presented in List II are expected, to a greater extent, to require joint preparations prior to assumption by the Self-Government authorities.

The assumption of a field of jurisdiction implies that the Self-Government authorities take over the legislative and executive power regarding the area. Thus, it is the Self-Government authorities that have the competence to issue rules regarding the field, and the Self-Government authorities have at the same time the responsibility for ongoing administration under the rules. With the assumption of a field of responsibility, the Self-Government authorities also take over the financing of the expenditure related to attendance to the field.

After the assumption of a field of jurisdiction by the Self-Government authorities, it may be expedient to continue cooperation between Greenland and Danish authorities and institutions in the field – at least for a transitional period of time. Cooperation of this kind will be subject to further agreement between the Greenland and Danish authorities in connection with the takeover of the field.

However, in one particular area, the Commission has found grounds for recommending a specific cooperation model. The assumption of the mineral resource area should according to the Commission take place in the same manner as applies to the other fields of responsibility. However, the Commission is at the same time of the opinion that the mineral resource area is of such a nature that more specific cooperation should be established in connection with the takeover.

Therefore, the proposal contains continued professional cooperation between the Greenland mineral resource authorities and the Geological Survey of Denmark and Greenland (GEUS) and the National Environmental Research Institute (DMU), which is now part of Aarhus University. Cooperation after Greenland has taken over the field relating to mineral resources should be established as a five-year cooperation agreement from the date of the assumption of the field. Following the expiry of the first agreement, the cooperation may continue in the form of multi-year agreements, provided the Self-Government authorities so wish.

The Self-Government authorities' assumption of fields of responsibility is set out in detail in Chapter 5 of the report.

Economy and industrial development

The Commission is of the opinion that the Self-Government Arrangement should, to maximum extent, rest on a self-sustainable economy. The Commission's proposal will, therefore, support consideration for the view that Greenland society becomes more

economically self-sustainable and thus less dependent on Government subsidies. The Commission is also of the opinion that increased Greenland Self-Government involves increased economic responsibility.

However, with the earnings differential that exists today between Greenland and Denmark, the Commission has also found it important that future economic relations should not *per se* contribute to increasing the difference in material standards of living between Greenland and Denmark.

In the overall economic model proposed, the Commission has endeavoured to pay attention to these matters. The model includes the following main elements:

1. The Government subsidy to remain unchanged at the 2007 level, i.e. DKK 3,202.1 million a year, adjusted for price and wage development.
2. Greenland itself to finance fields of responsibility that are taken over in the future.
3. Revenue from mineral resource activities in Greenland to accrue to the Greenland Self-Government authorities.
4. The Government subsidy to be reduced by an amount corresponding to half the revenue from mineral resource activities exceeding an annual DKK 75 million.
5. The Government and the Self-Government authorities to cooperate in the first five-year period on tasks relating to mineral resources. Subsequently, it will be for the Self-Government authorities to decide whether to renew the agreement.
6. Negotiations to be initiated between the Self-Government authorities and the Government when the Government subsidy to Greenland has been reduced to zero kroner. The negotiations will include the issue of the distribution of revenue from mineral resource activities in the Greenland subsoil and the issue of a resumption of the Government subsidy to the Self-Government authorities.

The main idea of the model is that revenue from mineral resource activities in Greenland should accrue to the Self-Government authorities, but that such revenue should at the same time imply that the Government subsidy to Greenland is reduced by half the revenue in excess of DKK 75 million, and that Greenland itself finances fields of responsibility that are taken over in the future.

Provided the growth rate of the Greenland economy continues, an unchanged Government subsidy in real terms to Greenland will mean that revenue from the Government will continue over time to constitute a declining proportion of total national income. Greenland will, consequently, become less dependent on Government transfers in relation to the total Greenland economy and thus more economically self-sustainable.

With the Act on Greenland Self-Government, the Self-Government authorities can take over more than another 30 fields of responsibility. When responsibility is assumed for a field, it will subsequently be financed by the Self-Government authorities. Consequently, the correlation between rights and obligations will be taken into account, which means that increased Greenland Self-Government involves increased Greenland economic responsibility. At the same time, the arrangement guarantees the Self-Government authorities a stable foundation for economic planning as it is the Self-Government authorities themselves that decide which fields of responsibility are to be taken over and when.

The model supports increased self-sustainability in Greenland society as Greenland itself receives the first DKK 75 million from mineral resource activities in Greenland.

When the Government subsidy to the Self-Government authorities has been reduced to zero kroner, negotiations are to be initiated between the Self-Government authorities and the Government on economic relations in the future. The negotiations will include, among other things, the issue of the distribution of revenue from the mineral resource activities in Greenland, and the issue of a resumption of the Government subsidy to the Self-Government authorities. The discussions may also include the issue of expenditure to cover fields of responsibility that cannot be assumed within the framework of the Danish Constitutional Act and the unity of the Realm, and any other issues to which the Self-Government authorities and the Government wish to find joint solutions. Neither party is, however, committed to a specific negotiation result. If the parties do not conclude any agreement on the distribution of the revenue from mineral resource activities in Greenland, the revenue will accrue to the Self-Government authorities, apart from the Danish public authorities' revenue from direct and indirect taxes and stakes in companies, etc. that are involved in mineral resource activity in Greenland. If the parties do not conclude any agreement on a resumption of the Government subsidy to the Self-Government authorities, the Government shall not provide any subsidy to the Self-Government authorities the following years.

The Commission is, furthermore, of the opinion that, with the last few years' reforms, initiatives have been launched in a number of important structural policy and industrial and educational policy areas which aim at making Greenland society more economically self-sustainable. In a few areas, the Commission has proposed that initiatives should be launched with a view to following up on this. This applies, among other things, to competition legislation and in connection with the Home Rule Government's ownership of industrial enterprises.

Economy and industrial development is set out in detail in Chapter 6 of the report.

Foreign affairs

The Home Rule Government's participation in foreign policy matters appears today from the Greenland Home Rule Act and the Authorisation Act as well as from agreements concluded between the Landsstyre and the Government, for example the Itilleq Declaration and the practice that has evolved otherwise.

The Commission has accepted that, with the Government's assessment of the constitutional framework, there is only limited scope for statutory provisions granting the Self-Government authorities increased foreign policy powers compared with the situation today. Not all members of the Commission are in agreement with the Government's assessment.

It has been an important point for the Commission that the Act on Greenland Self-Government should contain a proposal for an overall arrangement regarding Greenland's participation in the foreign policy in the most significant areas. The foreign affairs provisions are, therefore, gathered in a chapter of the proposal that holds two key elements: an arrangement on authorisation for the Self-Government authorities to negotiate and conclude

agreements under international law as well as an arrangement on the involvement of the Landsstyre in foreign policy matters under the central authorities of the Realm.

The Commission's proposal regarding the *authorisation arrangement* contains a number of linguistic changes compared with the Authorisation Act, without changing the arrangement as such. The main content of the arrangement remains that the Landsstyre, on behalf of the Realm, can negotiate and conclude agreements under international law that exclusively concern Greenland and entirely relate to fields of responsibility that have been taken over by Greenland authorities. In relation to the Authorisation Act, the proposal adds that the alternative designations which the Landsstyre may otherwise use when concluding agreements – depending on the nature of the specific agreement – now appear directly from the Act. In addition, the proposal contains the same procedure regarding the handling, including briefings on negotiations, etc., which the Landsstyre proposes to initiate under the authorisation arrangement. Lastly, the proposal contains the provision according to which the Government may submit or support an application from the Landstyre for membership of international organisations that allow entities other than states and associations of states to attain membership, provided that this is consistent with the constitutional status of Greenland.

The Commission's proposal for an arrangement on the *involvement* of the Landsstyre in areas where the Government negotiates and concludes agreements under international law rests, among other things, on the basic principles of the Itilleq Declaration on the involvement of Greenland in the foreign and security policy. The proposal implies, among other things, that agreements where the Government and the Landsstyre have been jointly involved in the negotiations must be signed by the Government, to the widest extent possible together with the Landsstyre. The proposal contains, furthermore, a new element: that the Government must inform the Landsstyre prior to commencing negotiations on agreements under international law which are of particular importance to Greenland. Lastly, the proposal implies an extended consultation obligation regarding agreements under international law which are of particular importance to Greenland. These agreements must, consequently, be submitted to the Landsstyre before being concluded or terminated. A new element is that an agreement must, to the widest extent possible, be concluded without any effect for Greenland if the Landsstyre so wishes or if the Landsstyre has not submitted any comments. An important element of the proposal is that it sets the stage for enabling the Landsstyre and the Ministers in charge of the individual areas to conclude agreements on cooperation regarding the area.

Furthermore, the proposal opens up for the possibility of concluding an agreement between the Ministry of Foreign Affairs of Denmark and the Landsstyre to the effect that a representative of the Landsstyre appointed to the diplomatic missions of the Kingdom of Denmark – in addition to attending to matters relating to fields of responsibility that have been entirely taken over by the Greenland authorities – may also attend to other matters.

Foreign affairs are set out in detail in Chapter 7 of the report.

The cooperation between the Greenland Self-Government authorities and the central authorities of the Realm regarding areas under Danish jurisdiction

Submission of Danish legislation to the Self-Government authorities
In its draft Act on Greenland Self-Government, the Self-Government Commission has drawn up a set of rules for ways in which the submission of Danish legislation to the Self-Government authorities can be organised in the areas that still remain under the central authorities of the Realm.

The Commission has discussed consideration for various contradictory views. The Commission wishes, on the one hand, that the Self-Government authorities should have the opportunity to exert increased influence on the legislation that may apply to Greenland in the future. On the other hand, there is consideration to be given to the work of the Folketing and the Danish legislative process that must not at the same time be blocked. The Commission's proposal reflects a wish to strike a balance between regard for these various views.

According to the Commission's proposal, Government Bills that comprise or may be brought into force in Greenland must be submitted to the Self-Government authorities for comments before they are presented to the Folketing. The Government must await the comments of the Self-Government authorities before Government Bills are presented which include provisions that *exclusively* apply to Greenland or are of *particular importance* to Greenland. The arrangement also includes the possibility of fixing a time limit for comments to be made by the Self-Government authorities.

The Commission proposes a similar arrangement for administrative orders.

In connection with Government Bills which do *not* include provisions that "exclusively apply to Greenland" or are of "particular importance to Greenland", the idea is as a predominant main rule that they are not immediately to extend to Greenland, but may subsequently be brought into force by Order in Council. In these cases, the Government may submit the Bill, also where no comments have been made by the Self-Government authorities. The Danish legislative process may, consequently, be completed, and Greenland will at the same time have the opportunity of becoming comprised by the common legislation and, thus, swifter updating of the rules. On the other hand, the Self-Government authorities are not bound by this updating as it is for the Greenland authorities themselves to decide whether they wish the specific statute brought into force by Order in Council.

Questions of doubt between the Self-Government authorities and the central authorities of the Realm concerning their respective jurisdictions.
The Commission has found that it may prove expedient also in the future to have rules allowing for a situation where no negotiated solution can be found in connection with a potential disagreement between the Self-Government authorities and the central authorities of the Realm concerning their respective jurisdictions.

Compared with the corresponding provision in the Home Rule Act, The Commission's proposal for a provision regarding dispute resolution specifies that questions of doubt must be

submitted to a dispute resolution board provided either the Government or the Landstyre so decides. Furthermore, it will no longer be the Government, but the board itself, that can decide to suspend an enactment or decision until the board has ruled.

The High Commissioner of Greenland

The Commission has not found grounds for proposing any changes to the role of the High Commissioner in relation to the Home Rule Arrangement. The Commission is, however, of the opinion that the High Commissioner can fulfil his duties without the powers being set out in detail in the Act on Greenland Self-Government. Therefore, the Commission proposes that the Act on Greenland Self-Government should not contain any rules regarding the High Commissioner of Greenland.

The cooperation between the Greenland Self-Government authorities and the central authorities of the Realm regarding areas under Danish jurisdiction is set out in detail in Chapter 8 of the report.

Language

It appears from section 9 of the Greenland Home Rule Act that Greenlandic is the principal language in Greenland, that Danish must be thoroughly taught, and that either language may be used for official purposes.

During the second half of the 20th century, a significant change took place in the language policy in Greenland. Up to the end of the 1970s, the Danish language had a very high priority. Subsequently, the teaching of Danish was downgraded as a result of substantial intensification of the Greenlandic language.

The Greenland-Danish Self-Government Commission has discussed the issue of language and its significance. The Commission has taken note of the Greenland Self-Government Commission's recommendations regarding the language issue. The Greenland Self-Government Commission stated that Greenlandic is a key part of the Greenland people's cultural identity, and that the language therefore should not merely be the country's principal language, but the official language. The Commission has also taken note that the Greenland Self-Government Commission stated that insufficient knowledge of Danish or other foreign languages will prolong the existing educational backlog in Greenland, unless the language policy is determined with an eye to this aspect.

The Commission has discussed the language and its application, including the need for citizens everywhere in the Realm to be able to use the Danish language in connection with official matters, as well as the question whether the language and its application can be transferred to the Greenland authorities.

The Commission has found that there are no constitutional restrictions on leaving the Danish language and its application to the Self-Government authorities. Leaving the Danish language to the Self-Government authorities can be agreed on certain terms, for example that the language is to be regulated and administered independently within the framework of some given principles.

The Commission has found that the existing Landsting legislation on public administration establishes that both Greenlandic and Danish may be used with respect to public matters; that the Nordic Language Convention entitles Nordic nationals to use their own language, including Greenlandic, in another Nordic country, including in Greenland; and that instruction in both Greenlandic and Danish arises out of other relevant legislation, for example primary and lower secondary school legislation as well as legislation relating to other general education and vocational education and training programmes.

In consideration of the above regulation, the Commission has found that a provision on language in a future Act on Greenland Self-Government should exclusively relate to matters of principle. On the basis of this view, the Commission proposes that the draft Act on Greenland Self-Government includes a provision establishing that Greenlandic is Greenland's official language.

Language is set out in detail in Chapter 9 of the report.

Greenland's access to independence

As mentioned in Chapter 3, the Commission's main task is to present proposals for ways in which the Greenland authorities can take over further competence within the unity of the Realm. In addition, the Commission has been assigned the task of describing in the Act on Greenland Self-Government how Greenland can become an independent state. Even if the Commission's work has had to be based on Greenland's present constitutional position, the Commission's proposal will not rule out Greenland's possibility of becoming independent.

The point of departure regarding Greenland independence is that this is the wish of the people of Greenland.

The content of the Commission's draft Act on Greenland Self-Government directs the Government to commence negotiations with a view to concluding an agreement between the Landsstyre and the Government. The decision to commence the negotiations on independence is to be taken by the people of Greenland.

The conclusion of an agreement between the Landsstyre and the Government on independence requires the consent of both the Landsting and the Folketing. With respect to the Folketing, this follows from the Danish Constitution, according to which the Government cannot, without the consent of the Folketing, "undertake any act whereby the territory of the Realm shall be increased or reduced".

It is assumed, before an agreement is submitted to the Folketing, that the agreement has been presented to the people of Greenland and approved by a referendum in Greenland. Questions relating to the implementation of such a referendum must, in the opinion of the Commission, be decided by the Greenland Self-Government authorities. The Commission assumes that the point of departure will be the principles governing existing franchise rules for election to the Landsting. The Commission considers it of great importance that the result of a referendum

should reflect a clear wish for independence, so that no doubt about the result will arise internationally.

In connection with the introduction of independence, Greenland will be established as a new state, and sovereignty over the Greenland territory will be transferred from the central authorities of the Realm to the authorities of the new state. Greenland's deliberations on independence may, among other things, include deliberations regarding an arrangement in the form of free association with Denmark.

The proposal for a preamble to the Act on Greenland Self-Government should be seen in connection with the Commission's proposal for the provision in the Self-Government Act on Greenland's access to independence.

The Commission has taken note that the Landsstyre and the Government are in agreement that it is for the people of Greenland to decide whether Greenland wishes independence, cf. the Commission's terms of reference, and the fact that the Prime Minister on several occasions has underlined the Government's position according to which it is for the people of Greenland to decide on the future of Greenland and the relations with Denmark.

The Commission's draft Act on Greenland Self-Government reflects these indications.

Greenland's access to independence is set out in detail in Chapter 10 of the report.

Personnel-related matters in connection with the assumption of fields of responsibility by the Self-Government authorities

The question of employment for the personnel of the authorities that so far have attended to the tasks in a field that will be transferred from the Government to the Greenland authorities has been pertinent since the Greenland municipalities in the mid-1970s took over tasks from the state sector. With the introduction of the Home Rule Government, the question became increasingly important.

In the forthcoming Act on Greenland Self-Government, the legislative and executive power may in a number of fields of responsibility be taken over by the Greenland authorities. These fields are today attended to by the personnel of the Danish authorities, for example the legal system and the police. The question of employment for the personnel that have attended to the tasks so far, including whether the personnel concerned are to be transferred to employment under the Greenland authorities, must therefore be clarified.

Under the current civil servants legislation for Greenland, *civil servants* employed as of 1 January 1976 or later are under an obligation to transfer to employment under the Greenland authorities. It may, however, be determined that employees in certain positions, for example within the police and the legal system are not to be under an obligation to continue their service under the Greenland authorities. The Commission proposes that the civil servants legislation should be amended to make it possible for Greenland authorities to conclude agreements regarding pay and other employment conditions for the civil servants who wish to

maintain their employment with the Danish authority concerned, but who are seconded to the Greenland authorities.

Civil servants employed before 1 January 1976 must be offered employment as civil servants under the Greenland authorities. If the civil servant does not wish to accept the offer, the civil servant will keep his employment within the state sector, but will be obliged to accept secondment to the Greenland authorities.

The Commission recommends with a few amendments that the regulatory basis as laid down in the above legislation regarding personnel employed on civil servant conditions should also apply in connection with the assumption of fields of responsibility under a new Act on Greenland Self-Government.

Concerning personnel that are *not employed as civil servants*, the Commission proposes that the Self-Government authorities take over the personnel who serve within the individual field that is taken over by the Self-Government authorities. The Commission presupposes in this connection that the Self-Government authorities will ensure that the rights and obligations that arise out of the Transfer of Undertakings (Protection of Employment) Act also apply to these members of personnel.

Such legislation will, among other things, imply that the Greenland authorities assume the rights and obligations vis-à-vis the employees that existed on the date of the transfer in accordance with collective agreements; provisions regarding pay and working conditions determined or approved by public authorities; and individual agreements regarding pay and working conditions.

The Commission's proposal for provisions regarding personnel that are not employed as civil servants implies, among other things, that dismissal as a result of the transfer is not considered to be reasonably justified by the situation of the authority, unless the dismissal is caused by financial, technical or organisational matters resulting in employment-related changes.

Lastly, it is proposed that also personnel that are not employed as civil servants in specified positions may be exempted from the obligation to continue their service under the Greenland authorities.

Personnel-related matters in connection with the assumption of fields of responsibility by the Self-Government authorities are set out in detail in Chapter 11 of the report.

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The situation in the Middle East

Security Council
Sixty-fifth year

Identical letters dated 22 February 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical summary of Israeli violations committed during the months of November and December 2009 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council, under the item relating to the situation in the Middle East.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

10-25208 (E) 010310 040310

Please recycle

Annex to the identical letters dated 22 February 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Israeli violations, acts of aggression and other activities during the month of November 2009

Date	*Time*	*Acts of aggression in the field*
12 November 2009	2130	The Israeli enemy interfered with the radio frequency of the position of the 11th Infantry Brigade at Muhaybib: Hebrew speech was heard.
14 November 2009	1840	The Israeli enemy directed a searchlight for seven seconds from its Zar'it barracks position towards the Lebanese Army roadblock at Tarbikha.
15 November 2009	1655	The Israeli enemy directed a searchlight for five seconds from its Zar'it barracks position towards the Lebanese Army roadblock at Tarbikha.
	1715	The Israeli enemy twice directed a searchlight from its Zar'it barracks position towards the Lebanese Army roadblock at Tarbikha, once for 10 seconds and once for five seconds.
	1830	The Israeli enemy directed a searchlight for 10 seconds from its Zar'it barracks position towards the Lebanese Army roadblock at Tarbikha.
	1920	The Israeli enemy directed a searchlight for 10 seconds from its Zar'it barracks position towards the Lebanese Army roadblock at Tarbikha.
	2005	The Israeli enemy directed a searchlight for 10 seconds from its Zar'it barracks position towards the Lebanese Army roadblock at Tarbikha.
23 November 2009	2215	An Israeli enemy patrol on three successive occasions directed a searchlight for five seconds each time towards the Mays al-Jabal position.
30 November 2009	1110	Members of an Israeli enemy patrol opposite the Kafr Kila road aimed weapons at a Lebanese Army patrol.
	Various times	Israeli enemy forces entered the civilian telephone landline network and transmitted recorded messages in Hebrew that offered a reward of $10 million for information on Israeli soldiers missing in Lebanon.

Date	*Time*	*Air violations*
1 November 2009	0555	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1452 hours.
	1640	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1650 hours.

2 November 2009	0707	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1453 hours.
	2025	An Israeli reconnaissance aircraft violated Lebanese airspace. It entered over the sea off Ra's Naqurah and left at 2026 hours.
5 November 2009	1240	An enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1730 hours.
6 November 2009	0920	An enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha`b and flying north. It circled over the South before leaving over Naqurah at 2115 hours.
	1000	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1020 hours.
	1015	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1017 hours.
	1021	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1025 hours.
	1032	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1040 hours.
	1040	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1140 hours.
	1211	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2119 hours.
	1225	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the 1st Infantry Brigade sector before leaving at 1453 hours.
7 November 2009	0600	An Israeli reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah and circled over the South before leaving at 1810 hours.
8 November 2009	1750	Two warplanes violated Lebanese airspace, flying from south to north. They circled over Ra's Naqurah before leaving at 1751 hours.
9 November 2009	1645	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1900 hours.
	1715	An Israeli warplane violated Lebanese airspace. It circled over the South before leaving at 1717 hours.
	2100	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 2130 hours.
	2240	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 2250 hours.
10 November 2009	0651	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1507 hours.

11 November 2009	0716	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2104 hours.
12 November 2009	0636	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0715 hours.
	0658	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1505 hours.
	0703	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1740 hours.
	0720	An Israeli reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah and flew north as far as the Bekaa. It circled over Riyaq, Baalbek and the South before leaving at 1520 hours over the sea to the west of Naqurah.
	0815	An Israeli reconnaissance aircraft violated Lebanese airspace. It entered over Kafr Kila, flying north, and circled over the South before leaving over Naqurah at 1800 hours.
14 November 2009	1359	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1712 hours.
	1520	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1922 hours.
15 November 2009	0700	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1007 hours.
	1717	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2359 hours.
	1727	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1806 hours.
	1826	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2323 hours.
	1900	An Israeli warplane violated Lebanese airspace. It circled for 10 seconds over Lebanese territorial waters, flying from south to north.
16 November 2009	1915	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1920 hours.
17 November 2009	1711	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1738 hours.
	1800	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1818 hours.
	1851	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1917 hours.

	1853	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1905 hours.
	1915	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1928 hours.
	1925	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1948 hours.
	1951	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2008 hours.
19 November 2009	0641	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1010 hours.
	1556	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1451 hours.
	1652	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1742 hours.
20 November 2009	0639	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1523 hours.
	0730	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1852 hours.
20 November 2009	0950	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1230 hours.
	1109	Two Israeli reconnaissance aircraft violated Lebanese airspace. They circled over the South before leaving at 1126 hours.
22 November 2009	1125	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1630 hours.
23 November 2009	0649	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0933 hours.
	0703	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0743 hours.
	0715	An Israeli warplane violated Lebanese airspace, flying from south to north and back again before leaving at 0716 hours.
	1023	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1715 hours.
	1108	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1802 hours.
	1150	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1758 hours.

	1518	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1555 hours.
	1902	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1920 hours.
24 November 2009	0650	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1035 hours.
	0656	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0917 hours.
	0701	Four Israeli reconnaissance aircraft violated Lebanese airspace. They circled over the South before leaving at 0840 hours.
26 November 2009	0701	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0952 hours.
	1329	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1440 hours.
27 November 2009	1047	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1655 hours.
	1650	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2048 hours.
28 November 2009	0701	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1303 hours.
30 November 2009	1200	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1345 hours.
	1713	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1729 hours.
	1805	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the 1st Infantry Brigade sector at Ayn al-Tinah before leaving at 1845 hours.
	2110	Four Israeli warplanes violated Lebanese airspace. They circled over Lebanese territorial waters, flying from the west to the south before leaving at 2111 hours.

Date	*Time*	*Sea violations*
15 November 2009	0015	An Israeli enemy launch directed a searchlight towards Lebanese territorial waters for four seconds.
16 November 2009	1705	An Israeli enemy launch cast an explosive charge into the sea in order to warn off a Lebanese fishing vessel that was within Lebanese territorial waters.

21 November 2009	1745	An Israeli enemy launch directed a searchlight for 15 seconds from its position at Ra's Naqurah towards Lebanese territorial waters.

Israeli violations, acts of aggression and other activities during the month of December 2009

Date	*Time*	*Acts of aggression in the field*
10 December 2009	2025	The Israeli enemy directed a searchlight for 10 seconds from its Zar'it barracks position towards the roadblock at Tarbikha.
14 December 2009	2155	The Israeli enemy twice directed a searchlight, for 30 seconds on each occasion, from its Zar'it barracks position towards the roadblock at Tarbikha.
15 December 2009	Various times	Israeli enemy forces entered the civilian landline and mobile telephone network and transmitted recorded messages in Arabic that offered a reward of $10 million for information on Israeli soldiers missing in Lebanon.
21 December 2009	0955	An Israeli enemy patrol crossed the technical fence opposite the Wazzani cafés without breaching the Blue Line.
26 December 2009	1700	An Israeli enemy patrol directed curses and offensive abuse at Lebanese Army personnel at the Ra's Naqurah position.

Date	*Time*	*Sea violations*
10 December 2009	1835	An Israeli enemy military launch directed a searchlight towards Lebanese territorial waters for 10 seconds.
11 December 2009	0830	An Israeli enemy military launch cast an explosive charge into the sea in order to warn off a Lebanese fishing vessel that was within Lebanese territorial waters.
15 December 2009	1835	An Israeli enemy military launch fired flares in order to warn off a Lebanese fishing vessel that was within Lebanese territorial waters.
	1855	An Israeli enemy launch directed a searchlight towards Lebanese territorial waters for 10 seconds.
22 December 2009	2215	An Israeli enemy military launch directed a searchlight towards Lebanese territorial waters for 10 seconds.
26 December 2009	0235	The Israeli enemy directed a searchlight for one minute from its Ra's Naqurah position towards a Lebanese fishing vessel that was within Lebanese territorial waters.
	0800	An Israeli enemy military launch fired tracer rounds in order to warn off two Lebanese fishing vessels that were within Lebanese territorial waters.

27 December 2009	1910	An Israeli enemy military launch fired flares in order to warn off a Lebanese fishing vessel that was within Lebanese territorial waters.

Date	*Time*	*Air violations*
1 December 2009	0723	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1039 hours.
	0723	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1221 hours.
	0959	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1756 hours.
	1219	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1756 hours.
	1234	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1657 hours.
	1603	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1756 hours.
	2002	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2345 hours.
2 December 2009	0001	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0033 hours.
	0654	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1900 hours.
	0722	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2104 hours.
	0725	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah, flying north, and circled over the South before leaving over Rumaysh at 2130 hours.
	1050	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1435 hours.
	1200	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1203 hours.
	2056	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2359 hours.
3 December 2009	0001	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0542 hours.
	0626	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1452 hours.

	0647	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1540 hours.
	1428	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1443 hours.
	1625	An Israeli enemy warplane violated Lebanese airspace. It circled over the South before leaving at 1630 hours.
	2000	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2016 hours.
5 December 2009	0935	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1443 hours.
6 December 2009	1031	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1046 hours.
	1755	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1758 hours.
	1905	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2000 hours.
7 December 2009	0901	Four Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1254 hours.
	0903	Two Israeli enemy aircraft violated Lebanese airspace. They entered over the sea off Naqurah and circled over the whole of Lebanon before leaving over Naqurah at 1100 hours.
	1102	Four Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1357 hours.
	1148	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1347 hours.
9 December 2009	0354	Three Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 0359 hours.
	1118	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1128 hours.
14 December 2009	0555	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0632 hours.
	2232	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2304 hours.
15 December 2009	1055	Two Israeli enemy warplanes violated Lebanese airspace. They emered over Kafr Kila, flying north as far as Tripoli, and circled over all parts of Lebanon before leaving over Kafr Shuba at 1250 hours.
16 December 2009	0542	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0641 hours.

	0634	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1804 hours.
	1054	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1234 hours.
	1326	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2300 hours.
20 December 2009	0647	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah and flew north as far as Baalbek. It circled over Riyaq, Baalbek and the South before leaving over Alma al-Sha'b at 1130 hours.
	0649	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0820 hours.
21 December 2009	0700	An Israeli enemy warplane violated Lebanese airspace. It circled over the South before leaving at 0715 hours.
	0930	An Israeli enemy warplane violated Lebanese airspace. It circled over the South before leaving at 0945 hours.
	1244	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1245 hours.
	2210	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2211 hours.
22 December 2009	0024	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0035 hours.
	1105	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1106 hours.
	1555	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1556 hours.
23 December 2009	0930	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0935 hours.
	0940	Two Israeli enemy warplanes violated Lebanese airspace. They circled over the 8th Infantry Brigade sector in Kasrawan before leaving at 0945 hours.
	1040	An Israeli enemy warplane violated Lebanese airspace. It circled over the South before leaving at 1045 hours.
	1344	An Israeli reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1345 hours.
	1625	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1630 hours.

	1638	An Israeli enemy aircraft violated Lebanese airspace. It circled over the South before leaving at 1639 hours.
	1645	An Israeli enemy warplane violated Lebanese airspace. It circled over the 7th Infantry Brigade sector in Nabatiyah before leaving at 1652 hours.
	1814	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1819 hours.
	1914	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2359 hours.
24 December 2009	0001	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0103 hours.
	0900	An Israeli enemy warplane violated Lebanese airspace. It circled over the South before leaving at 0910 hours.
25 December 2009	0639	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1523 hours.
	0730	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1852 hours.
	0950	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1230 hours.
	1025	Four Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1058 hours.
	1030	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1058 hours.
	1039	Three Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1058 hours.
	1109	Two Israeli enemy aircraft violated Lebanese airspace. They circled over the South before leaving at 1126 hours.
	1206	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah and circled over the South before leaving over Naqurah at 1905 hours.
	1220	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Alma al-Sha'b and circled over the South before leaving over Alma al-Sha'b at 1905 hours.
26 December 2009	2125	An Israeli enemy warplane violated Lebanese airspace. It circled over the South before leaving at 2126 hours.
27 December 2009	0705	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah and circled over the South and the Bekaa before leaving over Kafr Shuba at 1405 hours.

28 December 2009	1350	Two Israeli enemy warplanes violated Lebanese airspace. They circled over the South before leaving at 1400 hours.
	1810	An Israeli enemy warplane violated Lebanese airspace. It circled over the South before leaving at 1811 hours.
	2040	An Israeli enemy warplane violated Lebanese airspace. It circled over the South before leaving at 2100 hours.
28 December 2009	0659	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1702 hours.
	0701	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1700 hours.
	0720	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1706 hours.
	1039	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1115 hours.
	1104	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1145 hours.
	1625	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1635 hours.
29 December 2009	0601	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0659 hours.
	0605	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Naqurah and circled over the South before leaving over Rumaysh at 0800 hours.
	0833	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0857 hours.
	0900	An Israeli enemy warplane violated Lebanese airspace. It circled over the 1st Infantry Brigade sector in the Western Bekaa before leaving at 0930 hours.
	0905	Four Israeli enemy warplanes violated Lebanese airspace. They entered over Kafr Kila and flew north as far as the Shuf, then flew south and circled over the South and the Shuf before leaving over Naqurah at 0950 hours. The Israeli warplanes were opposed by ground anti-aircraft fire from the Lebanese Army.
	0950	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 0953 hours.
	1115	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1123 hours.

30 December 2009	1738	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1739 hours.
31 December 2009	1633	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 1927 hours.
	1640	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It entered over Aytarun, flying north. It circled over the South, Beirut and the Bekaa before leaving over Alma al-Sha'b at 2359 hours.
	2359	An Israeli enemy reconnaissance aircraft violated Lebanese airspace. It circled over the South before leaving at 2359 hours.

United Nations A/64/678

General Assembly

Distr.: General
25 February 2010

Original: English

Sixty-fourth session
Agenda item 65
Promotion and protection of the rights of children

Letter dated 22 February 2010 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

I have the honour to convey to you the attached information on "Protection of the rights and interests of children — a priority of State policy" (see annex).

I would appreciate it if you could circulate the present letter and its annex as a document of the sixty-fourth session of the General Assembly under agenda item 65.

(*Signed*) Murad **Askarov**
Permanent Representative of the Republic of Uzbekistan

10-25168 (E) 020310 020310

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Annex to the letter dated 22 February 2010 from the Permanent Representative of Uzbekistan addressed to the Secretary-General

[Original: Russian]

Protection of the rights and interests of children — a priority of State policy

One of the priorities of Uzbekistan State policy is to provide a harmonious and healthy education for the young generation, as young people under the age of 18 years account for over 40 per cent of the population.

Since the very first days of Uzbekistan's independence, a great deal of attention has been given to the legal, economic and social protection of motherhood and childhood and to establishing conditions for the comprehensive development and education of young people in the spirit of humanitarian values.

Uzbekistan ratified the Convention on the Rights of the Child in December 1992. Together with 189 other countries, Uzbekistan has also signed the Millennium Declaration and the "World Fit for Children" document.

In accordance with these documents, in 2007 the Government of Uzbekistan adopted a national programme of action to improve the well-being of children. The programme covers the period up to 2011 and includes ongoing monitoring and study of the situation of children in the areas of education, health care, leisure, family environment, work, vocational training and protection from the adverse effects of modern life.

One of the main ways of safeguarding the interests of children is the undertaking of practical measures to guarantee their rights. Accordingly, the Government has adopted and implemented several significant State programmes in this area.

Children's rights are systematically protected at both the legislative and institutional levels. This systematic approach consists of the adoption and implementation of national programmes including a range of actions to be taken by State agencies and institutions as well as by non-governmental organizations (NGOs).

NGOs promoting the rights of children and young people have both increased in number and become more active. There is now a nationwide network of NGOs specializing in various areas of promoting and protecting children's rights, including "Kamolot", a national youth movement which supports young people's initiatives and political and leadership activities.

The Foundation *Sen egliz emassan* (You are not alone) supports orphans and children whose parents cannot care for them, children with disabilities and children from poor families; the Children's Fund of Uzbekistan supports initiatives that come from the children themselves (Children's Parliament); the Foundation *Soglom avlod uchun* (For a healthy generation) carries out medical and educational programmes and promotes healthy living and the Forum for the Culture and Arts of Uzbekistan Foundation implements projects for gifted children.

The Government has prepared a national action plan to implement International Labour Organization (ILO) Conventions No. 138 and No. 182. The plan includes a whole range of legislative proposals to harmonize national legislation with the provisions of the conventions, control and monitoring of the implementation of those provisions and extensive awareness-raising activities.

Uzbekistan submits regular national reports on implementation of the United Nations Convention on the Rights of the Child to the Committee on the Rights of the Child. The Government of Uzbekistan has developed a national plan of action and has adopted more than 15 legal instruments in order to implement the concluding observations and recommendations of the Committee.

At the end of 2009, the Parliament of the Republic of Uzbekistan adopted amendments to the Code on Administrative Liability, increasing penalties for the use of child labour. The amendments were drafted in accordance with the national action plan for implementation of the ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and the ILO Convention on the Minimum Age for Admission to Employment, which were ratified by Uzbekistan in 2008.

A decision of the Ministry of Labour and Social Protection and the Ministry of Health approving the regulations prohibiting the use of child labour entered into force on 15 January 2010. According to this decision, employers are prohibited from employing children for work that is carried out in particularly difficult conditions — underground, under water, at a dangerous height or in a confined space, with dangerous machinery, equipment and instruments, or in unhealthy conditions where children might be exposed to dangerous substances or processes, or to temperatures, noise or vibrations that could be harmful to their health.

It is also prohibited to employ children for work involving lifting and moving heavy loads, long working hours, night work and work which by its nature could be harmful to the morals of this category of workers.

Parents or persons acting in loco parentis are responsible for the health of a working child.

In particular, parents are prohibited from forcing children to work in the above conditions by threatening violence or any type of punishment.

Students who are working in their free time during the school year may not work for more than 36 hours a week, in the case of individuals aged from 16 to 18 years, or more than 24 hours in the case of those aged from 15 to 16 years.

Wages for children working a shorter day must be calculated at the same rate as for workers of the corresponding category working for a full day and students working in factories during their free time should be paid either according to the hours worked or on a productivity basis.

The decision also prohibits the employment of students for work that is not related to their area of study or in hazardous conditions.

United Nations A/64/679

General Assembly

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25 February 2010

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Sixty-fourth session
Agenda item 23
Question of the Falkland Islands (Malvinas)

Letter dated 22 February 2010 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

In accordance with instructions received from the Government of the United Kingdom of Great Britain and Northern Ireland, I have the honour to refer to the letter dated 3 February 2010 from the Permanent Representative of Argentina (A/64/653) addressed to you, transmitting in an annex a note of protest dated 2 February 2010 submitted by the Republic of Argentina to the United Kingdom on hydrocarbon exploration in the Falkland Islands.

The Government of the United Kingdom has no doubt about the sovereignty of the United Kingdom over the Falkland Islands, South Georgia and the South Sandwich Islands and their surrounding maritime areas. The principle of self-determination, enshrined in the Charter of the United Nations, underlies our position on the sovereignty of the Falkland Islands. There can be no negotiation on the sovereignty of the Falkland Islands unless and until such time as the Falkland Islanders so wish.

I have the honour to transmit herewith a copy of the United Kingdom reply, dated 22 February 2010, submitted by the United Kingdom to the Republic of Argentina (see annex).

I should be grateful if you would circulate the text of the present letter as a document of the General Assembly under agenda item 23.

(*Signed*) Mark **Lyall Grant**

10-25162 (E) 030310

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Annex to the letter dated 22 February 2010 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

The Embassy of the United Kingdom of Great Britain and Northern Ireland presents its compliments to the Argentine Ministry of Foreign Affairs, International Trade and Worship and has the honour to refer to the Ministry's note of 2 February 2010.

The United Kingdom of Great Britain and Northern Ireland has no doubt about its sovereignty over the Falkland Islands and the surrounding maritime areas. The United Kingdom is clear that exploration for, and any exploitation of, hydrocarbon reserves in Falkland Islands waters are matters of legitimate business. The United Kingdom supports the Falkland Islands Government in its wish to develop its hydrocarbons sector.

The principle of self-determination, enshrined in the Charter of the United Nations, underlies the United Kingdom's position on the sovereignty of the Falkland Islands. There can be no negotiation on the sovereignty of the Falkland Islands unless and until such time as the Falkland Islanders so wish.

The Government of the Republic of Argentina correctly points out that it chose to withdraw from the 1995 Joint Declaration on Cooperation over Offshore Activities in the South West Atlantic in 2007. In any event, the Falkland Islands' current hydrocarbon exploration is taking place outside the area of cooperation identified in the 1995 Joint Declaration. The Government of the United Kingdom remains willing to discuss any areas of mutual interest in the South Atlantic with the Government of the Republic of Argentina.

The Embassy of the United Kingdom avails itself of this opportunity to renew to the Argentine Ministry of Foreign Affairs, International Trade and Worship the assurances of its highest consideration.

United Nations A/64/680–S/2010/102

General Assembly
Security Council

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General Assembly
Sixty-fourth session
Agenda items 14 and 18

Security Council
Sixty-fifth year

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Letter dated 24 February 2010 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

The Permanent Representative of Azerbaijan has circulated an appalling letter, contained in document A/64/658-S/2010/78 of 8 February 2010, under agenda items 14 and 18 of the sixty-fourth session of the General Assembly for the sole purpose of spreading a new wave of hate propaganda against the Republic of Armenia and Nagorno Karabagh.

This letter has been designed by the Azerbaijani side to hit the target of discrediting Armenia and Nagorno Karabagh during the General Assembly's present work by misleading the international community through impressive falsifications and defamatory facts and figures. The cynicism of the way it is done is frightening in its simplicity. I regret the fact that Azerbaijan does not cease playing the game of getting into the image of victim of so-called "Armenian aggression".

The events of Khodjalu reflected in the above-mentioned document is the pinnacle of the Azeri allegations. I would comment on this by referring to the interview of the President of Azerbaijan, Aiaz Mutalibov, with Czech journalist Dana Mazalova, published in April 1992. The President of Azerbaijan stated that the militia of the Azerbaijani National Front actively obstructed and actually prevented the evacuation of the local civilian population from the military operation zone through the mountain passages specifically left open by the Karabagh Armenians. The hope and intention of the Azerbaijani opposition was to utilize civilian losses of such a magnitude to instigate a popular uprising against the Baku regime and seize the reins of power.

In a witness account brought by the Helsinki Watch report of September 1992, an Azerbaijani woman is quoted as confirming that Armenians had notified the

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Azerbaijani civilian population to leave the town with white flags raised. In fact, the Azerbaijani militia shot those who attempted to flee.

To further clarify the issue let me note that the international community has already witnessed and confirmed the countless atrocities of the Azerbaijani Government towards the defenceless Armenian population.

As a response to a peaceful demand of the Nagorno Karabagh people to exercise its right to self-determination, the Azeri authorities organized an armed mob, which launched pogroms against Armenians living in the Azeri city of Sumgait in 1988. These massacres were the first acts of mass killings on the territory of the Soviet Union, as witnessed by the criminal proceedings launched by the Soviet authorities. Immediately after declaring its independence, Azerbaijan freed the accused murderers and openly saluted them as national heroes through the mass media.

The Helsinki Watch report of the time testifies that "these events were intended to exacerbate the fear and horror of ethnic Armenians in the other parts of Azerbaijan". Massacres in Ganja, Baku and other cities between 1988 and 1991 were far more barbaric and massive, leading to the deportation and ethnic cleansing of about half a million Armenians.

These atrocities were followed by unprecedented Azeri military offensives and operations designed to implement a military solution by annihilating the Nagorno Karabagh population. It has to be finally and forever clarified that it was Azerbaijan which started an armed aggression against Nagorno Karabagh.

Armenia is convinced that by far the better solution would be the restoration of the fundamental and lawful rights of Armenians living in Nagorno Karabagh by addressing their inalienable right to self-determination.

I should be grateful to you if the present letter could be circulated as a document of the General Assembly, under agenda items 14 and 18, and of the Security Council.

(*Signed*) Garen **Nazarian**
Ambassador
Permanent Representative

United Nations A/64/681–S/2010/108

General Assembly
Security Council

Distr.: General
1 March 2010

Original: English

General Assembly
Sixty-fourth session
Agenda item 14
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-fifth year

Identical letters dated 19 February 2010 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith the statement of the Ministry of Foreign Affairs of Georgia dated 18 February 2010 on the treaty on the creation of a joint military base in Gudauta signed between Russia and the so-called republic of Abkhazia (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the sixty-fourth session of the General Assembly, under agenda item 14, and of the Security Council.

(*Signed*) Alexander **Lomaia**
Permanent Representative

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Annex to the identical letters dated 19 February 2010 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia on the treaty on the creation of a joint military base in Gudauta signed between Russia and the so-called republic of Abkhazia

18 February 2010

Russia reinforces its military presence on the occupied territories of Georgia, to which clearly attests the treaty on the creation of a joint military base in Gudauta signed between Russia and the so-called "republic of Abkhazia" in Moscow, on 17 February 2010. The treaty shall be valid for 49 years with possibility of extension for 15 more years.

It is noteworthy, that, at the OSCE Istanbul Summit of 1999, in accordance with the joint statement of the Russian Federation and Georgia (Annex 14 of the Final Act of the Conference of the States Parties to the Treaty on Conventional Armed Forces in Europe) the Russian Federation undertook the commitment to withdraw the Gudauta Military Base by 1 July 2001. However, the international community is well aware of the fact that despite numerous statements made by President Putin regarding the withdrawal of the Gudauta Russian military base, it had not been withdrawn and has continued functioning for years afterwards in violation of the international obligations undertaken by Russia.

Exactly with the aim of legalizing such unlawful action, the Russian Federation tries to impose on the international community its concept of "New European Security Architecture".

Furthermore, Moscow aims to place within "legitimate" frames its military occupation and annexation of the Georgian regions. Russia's actions in the occupied regions continue to go uncontrolled given that it was through the efforts of the Kremlin that all international monitoring missions were expelled from Georgia's occupied regions and it is Russia that objects to the introduction of the international monitoring missions in these regions of Georgia.

Suspension of the implementation of the Treaty on Conventional Armed Forces in Europe by the Russian Federation (which itself is a violation of the treaty) has served inter alia the goal of using the Georgian occupied territories as its own military springboard.

Russia's pursuit of its expansionist plans poses a real threat not only to Georgia, but to the Caucasus and Black Sea regions as a whole. Special mention, in this context, should be made of Russia's recent amendments to the Law on Defence that allows Russia to carry out so-called preventive military operation in all cases and against all states that the Kremlin regime may deem necessary. Moreover, Russia's new military doctrine envisages the preventive use of nuclear weapons against all countries unacceptable to Moscow.

The Ministry of Foreign Affairs of Georgia expresses its strong protest over this step taken by Russia towards the intensive militarization of Georgia's occupied regions and urges the international community to give due assessment to these unlawful actions of Russia and take decisive measures for their prevention.

United Nations A/64/682

General Assembly

Distr.: General
26 February 2010

Original: English

Sixty-fourth session
Agenda item 64
Report of the Human Rights Council

Letter dated 19 February 2010 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

I have the honour to convey to you a copy of a letter I have sent, in my capacity as Chair of the Arab Group for the month of February 2010, on behalf of the States members of the Arab Group, to the President of the General Assembly (see annex) regarding General Assembly resolution 64/10 of 5 November 2009 on the follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict and your report in this regard (A/64/651) pursuant to paragraph 6 of resolution 64/10.

I should be grateful if you would arrange to have the text of the present letter and the annexed letter distributed as a document of the General Assembly under agenda item 64.

(*Signed*) Riyad **Mansour**
Chair of the Arab Group
Permanent Observer of Palestine to the United Nations

10-25325 (E) 020310

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Annex to the letter dated 19 February 2010 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

19 February 2010

In my capacity as Chair of the Arab Group for the month of February 2010, I have the honour to convey to you the Arab Group's position regarding the "paper" conveyed by Israel on 29 January 2010 to the Office of the United Nations Secretary-General, which was included in annex I to the report submitted by the Secretary-General (A/64/651) pursuant to General Assembly resolution 64/10 of 5 November 2009 on the follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict (Goldstone report).

In this connection, I wish to inform you that the Follow-Up Committee on the Goldstone Report, which includes the current Troika of the Arab Group, Palestine, Oman and Qatar; Egypt in its capacity as Chair of the Non-Aligned Movement; Syria in its capacity as Chair of the Organization of the Islamic Conference; Morocco in its capacity as Chair of the Al-Quds Committee; Senegal in its capacity as Chair of the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People; and the Permanent Observer of the League of Arab States to the United Nations, conveyed to the Secretary-General our position that Israel's "paper" does not constitute compliance with paragraph 3 of resolution 64/10. We shared with the Secretary-General our understanding of the observation made in paragraph 11 of his report to the General Assembly, namely, that "no determination can be made on the implementation of the resolution by the parties concerned" to mean that the Israeli "paper" was not in compliance with the call made by the Assembly upon the Government of Israel "to undertake investigations that are independent, credible and in conformity with international standards into the serious violations of international humanitarian and international human rights law reported by the Fact-Finding Mission, towards ensuring accountability and justice".

In this regard, it should be noted that no reference whatsoever was made in the entirety of the Israeli "paper" to General Assembly resolution 64/10 or to the note of 3 December 2009 conveyed by the Secretary-General to Israel requesting information on any steps taken further to the call of the Assembly in paragraph 3 of the resolution. Moreover, this "paper" was conveyed to the Office of the Secretary-General amid an Israeli public campaign and repeated statements stressing that the "paper" was not being submitted in accordance with the General Assembly's call in resolution 64/10 or with the recommendation made in the Goldstone report. Such rejectionist statements clearly reflect once again Israel's intransigent refusal to cooperate in any manner on this very serious matter, beginning with its refusal to cooperate with the United Nations Fact-Finding Mission on the Gaza Conflict from the outset, its repeated rejection of the findings and recommendations of the Mission, and its characterization of those findings as, among other things, "distorted", "false" and "irresponsible".

With regard to the Palestinian side, it should be noted that the Palestinian submission to the Secretary-General on 29 January 2010 (see A/64/651, annex II) was made explicitly in accordance with paragraph 4 of General Assembly resolution 64/10 and in response to the note of 3 December 2009 from the Secretary-General requesting information on any steps taken by the Palestinian side further to the

exhortation of the General Assembly in paragraph 4 of the resolution. This is clearly evident in the letters of Prime Minister Salam Fayyad and the Permanent Observer of Palestine to the United Nations, the Presidential Decree and the report of the Independent Investigative Commission of 28 January 2010, which appear in annex II to the Secretary-General's report. Further in this regard, it should be noted that, as stated in the opening paragraph of the report of the Independent Investigative Commission, the Commission was established "in accordance with the recommendation of the Fact-Finding Mission and pursuant to General Assembly resolution 64/10, paragraph 4".

Further, the Arab Group wishes to request the convening of the General Assembly at the earliest possible date following the submission of the Secretary-General's report (A/64/651) in order to take action on a draft resolution to follow up resolution 64/10 and the efforts being exerted towards ensuring accountability and justice.

(*Signed*) Riyad **Mansour**
Chair of the Arab Group
Permanent Observer of Palestine to the United Nations